English Translations of

Majmoo'al-Fatawa of Permanent Committee for Scholarly Research and *ifta*' of K.S.A

First Collection

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Portal of the General Presidency of Scholarly Research and *Ifta'* of Kingdom of Saudi Arabia

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Completion of the Chapter on "Funerals"

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specifying graveyards for Muslims in non-Muslim countries and the impermissibility of burying Muslims with Kafirs

Fatwa no. 10508

Q: A group of Muslims in Brussels in Belgium are honored to request for a Fatwa (legal opinion issued by a qualified Muslim scholar) from Your Eminence in regard to burying Muslims in Christian or any other graveyards. We have decided to create an Islamic graveyard in this country, and the Belgian government has asked us to obtain a Fatwa. As you exert great effort to spread this religion, we are awaiting your reply on this matter with the greatest respect.

A: It is obligatory that Muslims should be buried in a separate graveyard, as it is not permissible to bury them in non-Muslim graveyards. Imam Al-Shirazy said in "Al-Muhadhab": "Neither a Kafir (disbeliever) should be buried in a graveyard for the Muslims, nor should a Muslim be buried in a graveyard for the Kafirs." Imam Al-Nawawy also said in "Al-Majmu`": "Our companions (may Allah be merciful to them) agreed that a Muslim should not be buried in a graveyard for the Kafirs nor should a Kafir be buried in a Muslim graveyard." Based on this, it is clear that it is obligatory to allocate a special burial place for Muslims in a graveyard of their own.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta’

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Fatwa no. 8011

All praise be to Allah Alone, and peace and blessings be upon His Messenger, and his family and Companions.

The Permanent Committee for Scholarly Research and Ifta' has examined the question submitted to His Eminence, the President, by the Prime Minister, no. 2620/8, dated 22/12/1404 A.H., that states:

"We are sending you a copy of the letter of the Honorable Minister of Municipal and Rural Affairs, no. 235/WS, dated 11/8/1404 A.H., and its attachments, related to a problem that is facing the Municipality of Riyadh, over the burial of non-Muslims of different nationalities. The matter is related to burying them or some of their body parts that are removed during surgery, and also to what His Excellency once explained, that the General Secretariat had previously buried a body far outside the boundaries of Riyadh. We would like you to issue a Fatwa (legal opinion issued by a qualified Muslim scholar) about designating graveyards for non-Muslims. We feel that this matter needs further clarification, because burying body parts is a simple matter; they can be buried anywhere; but as for bodies, they can be sent back to their countries and this would resolve the problem.

Maybe this could be the solution for this problem. We would like you to study this issue and provide us with your opinion on it."

After the committee had studied what the Honorable Prime Minister had said, it issued the following Fatwa:

it is not permissible to bury Kafirs (disbelievers) of any religion in Muslim graveyards or to bury their removed body parts there, and it is not permissible to designate special graveyards for them in the Arabian Peninsula, due to the religious and worldly corruption that would ensue from burying their dead or their removed body parts there. Their bodies should be delivered to their relatives and their removed body parts should be delivered to their owners or relatives to transport them to any place they want outside the Peninsula. If the relative of the deceased refuses to take the body, or the relative or owner refuses to take the removed body part and it is not possible to bury them outside the Peninsula, it is permissible to bury them in unmarked land that is not owned by anybody, to fulfill the obligation of interment and to secure safety from the harmful risks of dead bodies. It is also not permissible to assign Bayt-ul-Mal (the Muslim Treasury) with the responsibility of transferring these body parts outside the Peninsula, due to the lack of evidence for this.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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burying someone who abandoned prayers with Muslims

First question of Fatwa No 13610

Q 1: In our country Muslims are buried in cemeteries that have been specified for them. Nevertheless, every one who has a Muslim name is buried in such cemeteries even though most of them did not offer Salah (Prayer) or follow the instructions of the Din (religion). What should be done when visiting these cemeteries where we can not differentiate between Muslims and non-Muslims? Shall I be harmed by anything if I am buried with people who did not offer Salah? Should I make a will that I have to be buried with people who offered Salah or what exactly should we do regarding this matter? Please enlighten us. May Allah reward you with the best.

A: Muslims should have cemeteries which are confined to them where non-Muslims should not be buried. The dead who did not offer Salah and died in such a state should not be buried in these cemeteries. This is because whoever abandons Salah out of their denial of its obligation are Kafirs (disbelievers) according to the unanimous agreement of Muslim scholars. Besides, those who abandon Salah out of laziness are also Kafirs according to the most proper of the two opinions of Muslim scholars. However, it is Mashru` (Islamically acceptable) that a Muslim makes a will to be buried in the Muslim cemetery if there are other cemeteries for non-Muslims in the same country lest they should be buried with non-Muslims.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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burying the children of a Kafir (disbeliever) in Muslim cemeteries

Third question of Fatwa No. 5124

Q 3: Is it permissible to bury the child of a Kafir in Muslim cemeteries if a Muslim had adopted that child who died before attaining the age of puberty?

A: It is not permissible to bury a Kafir in Muslim cemeteries whether such a Kafir was adopted by a Muslim or not and regardless of the issue of attaining or not attaining the age of puberty. However, if there is a sign that such a person embraced Islam; they may be buried in the Muslim cemeteries. Finally, you must be aware that adoption is Haram (prohibited) in Islam for Allah (Exalted be He) says: ﴾Call them (adopted sons) by (the names of) their fathers﴿

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accompanying a disbeliever's Funeral

Third question from Fatwa No. 2612

Q 3: What is the ruling on attending a disbeliever's Funeral as this is a political tradition and common custom?

A: Muslims are not allowed to bury the corpses of disbelievers as long as disbelievers can do so. Muslims are also not permitted to participate or help disbelievers in burying their dead in order to follow political traditions. This was not done by the Prophet (peace be upon him) nor by the rightly guided Caliphs. Allah forbade his Prophet (peace be upon him) to stand at the grave of Abdullah ibn Ubay ibn Salul because he was a disbeliever. Allah (Exalted be He) says: ﴾And never (O Muhammad صلى الله عليه وسلم) pray (funeral prayer) for any of them (hypocrites) who dies, nor stand at his grave. Certainly they disbelieved in Allâh and His Messenger, and died while they were Fâsiqûn (rebellious, - disobedient to Allâh and His Messenger صلى الله عليه وسلم).﴿ If there are no disbelievers who can bury their dead, Muslims should do so. This was done by the Prophet (peace be upon him) with regard to the disbelievers who were killed during the battle of Badr. The Prophet (peace be upon him) also said to Aly when his uncle Abu Talib died: ﴾"Go and bury him."﴿

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following the funeral of grave-worshippers

The first question of Fatwa no. 3548

Q 1: Allah (Exalted be He) says, (It is not (proper) for the Prophet and those who believe to ask Allâh's Forgiveness for the Mushrikûn (polytheists, idolaters, pagans, disbelievers in the Oneness of Allâh), even though they be of kin, after it has become clear to them that they are the dwellers of the Fire (because they died in a state of disbelief).)

The apparent meaning of this Ayah is that it is not allowed to ask for forgiveness for Mushrikun (who associate others with Allah in His Divinity or worship) even if they are close relatives. Many of us Bedouin Arabs have parents and relatives who are accustomed to slaughtering (animals) beside the grave, seeking means of reaching Allah (Exalted be He) through the occupants of those graves, making vows to offer the meat at their graves, and seeking the help of the occupants of the graves to alleviate distress and heal disease. There are people who have died in this state, for no one reached them who could teach them about Tawheed (belief in the Oneness of Allah/ monotheism) and the true meaning of Laa ilaaha illa-Allaah (there is no deity but Allah), or who could teach them that vows and supplications are acts of worship that are not right unless they are directed to Allah Alone. Is it correct to walk in their funeral procession, to offer funeral prayer over them, to make du`a (supplication) and to seek forgiveness for them, to perform Hajj on their behalf and to give charity on their behalf?

A: If such people die in the state which you describe, it is not permissible to follow their funeral procession, to pray over them, to make du`a and seek forgiveness for them, to perform Hajj on their behalf or to give charity on their behalf. This is because the actions mentioned above are actions of Shirk (associating others in worship with Allah), and Allah (Exalted be He) says in the Ayah quoted above, (It is not (proper) for the Prophet and those who believe to ask Allâh's Forgiveness for the Mushrikûn (polytheists, idolaters, pagans, disbelievers in the Oneness of Allâh), even though they be of kin)

Moreover, it was authentically reported that the Prophet (peace be upon him) said, (I sought Allah's permission to beg forgiveness for my mother, but He did not grant it to me. I sought permission from Him to visit her grave, and He granted me permission.)

Such people cannot be excused by saying that no one told them or explained to them that the things they were doing were shirk, because the evidence on that in the Qur'an are very clear, and there were knowledgeable people among them whom they could have asked about whether what they were doing was shirk or not. However, they turned away and were content with what they were doing.

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Burying the Kafir (Disbeliever)

Fourth question from Fatwa No. 13477

Q 4: what is the ruling on those who embrace Islam while their parents are still polytheists who worship idols until they die? Is it permissible for their Muslim son to participate in washing and burying them? What is the ruling if the son participates in washing and burying them and other ceremonies of the non-Muslims? What should a Muslim son do after these acts?

A: As a general rule, when a Kafir dies, their relatives should bury their corpse in a hole so that people will not be harmed by them. They should not be washed, shrouded or prayed over. Anyone who does differently or participates with the non-Muslim in their habits, should repent and ask for Allah's forgiveness. Perhaps Allah may accept his repentance.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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making Du`a' (supplication) and granting the reward of a good deed for the dead

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Fourth question of Fatwa No. 2251

Q 4: People differ regarding making Du`a' collectively and immediately after finishing the Funeral Prayer. Some say that this practice is a Bid`ah (innovation in religion) because it is not reported from the Prophet (peace be upon him) or his noble Sahabah (Companions) and jurists explicitly declare it as impermissible. On the contrary, other people are of the view that making Du`a' collectively and immediately after finishing the Funeral Prayer is something that is preferred and regarded as a Sunnah (a commendable act). Which of these two opinions is correct?

A: Du`a' is a form of `Ibadah (worship) and `Ibadahs (worships) are based on Tawqif (a religious text and not personal opinion) for no one is allowed to offer any `Ibadah that is not ordained by Allah (Exalted be He). Regarding the issue mentioned in the question, there is no authentic narration to the effect that the Prophet (peace be upon him) made a collective Du`a' with his Sahabah for any dead person after offering the Funeral Prayer. Rather, it is authentically narrated from the Prophet (peace be upon him) that he would stand by the grave after it had been leveled and say: (Seek forgiveness for your brother, and beg steadfastness for him, for he will be questioned now.) Hence, the correct view is that making Du`a' collectively and immediately after finishing the Funeral Prayer is not permissible; such practice is tantamount to Bid`ah.

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Du`a' (supplicating to Allah) for a dead person

Sixth question from Fatwa No. 2392

Q 6: which is better: supplicating to Allah for a dead person after burying him, while sitting or while standing?

A: The Sunnah for whoever wishes to supplicate to Allah for a dead person after burying him and leveling the ground is to do it while standing. This is according to what was reported by Abu Dawud that `Uthman (may Allah be pleased with him) said: ("Whenever the Prophet (peace be upon him) finished burying the dead, he used to stay (i.e. at his grave) and say: 'Seek forgiveness for your brother and beg steadfastness for him, for he will be questioned now.'") Abu Dawud and Al-Mundhiriy kept silent concerning this Hadith. This Hadith was also reported by Al-Hakim who deemed it as an authentic Hadith. Al-Bazar reported this Hadith and said: "It was not reported from the Prophet (peace be upon him) except through this chain of transmitters."

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Thirteenth question from Fatwa No. 3323

Q 13: what is your opinion concerning making Du`a' (supplication) for the deceased? Does it benefit the deceased?

A: The lawful Du`a` benefits the deceased according to the Ijma` (consensus) of Ahl-ul-Sunnah

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wal-Jama`ah (those adhering to the Sunnah and the Muslim main body), for Allah (Exalted be He) says: ﴾And those who came after them say: "Our Lord! Forgive us and our brethren who have preceded us in Faith, and put not in our hearts any hatred against those who have believed. Our Lord! You are indeed full of kindness, Most Merciful.﴿ The Prophet (peace be upon him) made Du`a` for the deceased during his visit to the graves and in other situations and he taught his Sahabah (the Companions) what to say in terms of Du`a` upon visiting the graves and his saying to them when he buried a Muslim man: ﴾Seek forgiveness for your brother, for he will be questioned now.﴿ Furthermore, he made Du`a` for the deceased during Funeral Prayer and taught his Sahabah the supplications they should recite when praying for the deceased in addition to many other Hadiths to that effect which reach the degree of Mutawatir (a Hadith reported by a significant number of narrators throughout the chain of narration, whose agreement upon a lie is impossible) with regard to their meaning, and there is no contradiction between that and the saying of Allah (Exalted be He): ﴾And that man can have nothing but what he does (good or bad).﴿ The generality of this Ayah (Qur'anic verse) is specified by the Ayah regarding the day of Resurrection and many other Ayahs and Hadiths.

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Collective recitation of Tahlil when walking in a funeral procession

The first question of Fatwa no. 1707

Q 1: what is the ruling on collective recitation of Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]") when walking in a funeral procession?

A: It was not the Prophet's regular practice to recite Tahlil or read any verses of the Qur'an or anything of the sort when walking in a funeral procession. As far as we know, the Prophet was not ordered to recite Tahlil in groups. He (peace be upon him) was only reported to have forbidden (that the dead person should be followed with sound or fire.") Narrated by Abu Dawud.

Qays Ibn `Abbad, one of the great followers of `Aly Ibn Abu Talib (may Allah be pleased with him) said: "The Sahabah (Companions of the Prophet) used to lower their voices upon walking in funeral processions, reciting Dhikr (Remembrance of Allah) and upon fighting."

Shaykh Al-Islam Ibn Taymiyyah (may Allah have mercy on him) stated: "It is undesirable to recite Qur'an or Dhikr or anything else while walking in a funeral procession. This is the view held by the Four Imams (Imams Abu Hanifah, Malik, Al-Shafi`y, and Ahmad). This same view is also held by the righteous predecessors of Sahabah and Tabi`un (Followers, the generation after the Companions of the Prophet). I know of no one who may have held a different view."

Ibn Taymiyyah also said: "Scholars of Hadith have unanimously agreed that such a practice was not

done during the early generations of Islam." Thus, it becomes quite clear that raising the voice with Tahlil when following a burial procession is an act of disapproved Bid`ah (rejected innovation in religion). The same applies to articulating oft-repeated words as "Wahhiduh" meaning " Say: Allah is One" and "Idhkuru Allah" meaning "Mention the Name of Allah" or reciting eulogies like Al-Burdah (an eulogy compopsed by the famous Arab poet Al-Busairi in praise of the Prophet).

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saying: There is no deity but Allah in a Funeral Procession

Third question from Fatwa No. 3095

Q 3: Is it permissible to follow a Funeral Procession saying: La ilaha illa Allah (there is no deity but Allah) until the person is buried in the grave?

A: The basic ruling of acts of worship is that they are Tawqifiy (bound by a religious text and not amenable to personal opinion) because of the saying of the Prophet (peace be upon him): ﴿If somebody innovates something which is not in harmony with the principles of our religion, that thing is rejected.﴾ Agreed upon Hadith. According to the narration of Muslim, the Hadith states: ﴿He who does any act for which there is no sanction from our behalf, that is to be rejected.﴾ The Sunnah of the Prophet (peace be upon him) regarding offering Funeral Prayer, processing the dead and burying it is well-known to Muslims. However, the Prophet (peace be upon him) did not say: "La ilaha illa Allah" in the Funeral Procession and all goodness is in following the Prophet (peace be upon him).

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Fifth question from Fatwa No. 4160

Q 5: what is the ruling on saying Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]") a thousand times per day? what is the ruling on saying it while carrying the dead to their graves?

A: This dhikr mentioned in the question has great merit and the more you recite it, the more reward Allah grants you. But we do not have any evidence that specifies this number of times nor that proves that we should say it while carrying the dead to the graves. In fact, this is an act of Bid`ah (rejected innovation in religion).

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Distributing money at a graveyard

Fourth question from Fatwa No. 4990

Q 4: What is the legal ruling concerning the custom of distributing money at the graveyard?

A: It is permissible to give Sadaqah (voluntary charity) on behalf of the deceased. However, the Prophet (peace be upon him) did not distribute Sadaqah at the graveyard before or after burying a dead or at any other time. However, he attended many funeral processions and used to visit the graves and so did his Companions (may Allah be pleased with him). Thus, distributing money at graves is a Bid`ah (innovation in religion) that contradicts the tradition of the Messenger of Allah (peace be upon him).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Chairman
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Fourth question from Fatwa No. 5782

Q 4: is it permissible to accompany a Funeral with Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]") and Adhan (call to prayer) after putting the dead person in Lahd (a crevice on the side of a grave facing the direction faced for Prayer)?

A: It was not authentically reported that the Prophet (peace be upon him) accompanied a Funeral with Tahlil or Adhan after putting the dead person in the Lahd. It was not authentically reported, according to our knowledge, that any of the Companions (may Allah be pleased with them) did so. Therefore, doing so is a rejected Bid`ah (innovation in religion). The prophet (peace be upon him) said:

("He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.")

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Making Du`a' for a person who commits suicide

Fatwa No. 11120

Q: I am a Sudanese Muslim. Thanks be to Allah, I work in the Kingdom of Saudi Arabia since a few years ago. Recently, I was informed that one of my relatives in Sudan has committed suicide - May Allah save us from that!

I have sent a letter of condolence to his family in Sudan in which I invoked Allah to be merciful to him. I also sent another letter to a relative of mine who works in the United Arab Emirates to tell him of the event and of the letter I sent.

He reproached me for offering condolences for a person who committed suicide and for invoking Allah to be merciful to him. Now the question which I want you to give me a clear answer for is as follows:

is it permissible to offer condolences to the family of a person who has committed suicide? is it permissible to invoke Allah to be merciful to him? What is the substantiated legal evidence from the Qur'an and Sunnah?

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A: It is unlawful for a Muslim to kill themself; Allah (Exalted be He) says: ﴾and do not throw yourselves into destruction (by not spending your wealth in the Cause of Allâh)﴿ and: ﴾And do not kill yourselves (nor kill one another). Surely, Allâh is Most Merciful to you.﴿ ﴾And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allâh.﴿ Also it is authentically reported that the Prophet (peace be upon him) said: ﴾He who kills himself with something, will be tormented with it on the Day of Resurrection.﴿ Narrated by Al-Bukhari, Muslim, and others.

Whoever tries to kill himself is committing a major sin and deserves Allah's torment. However, it is permissible for Muslims to invoke Allah to be merciful to him and to invoke Allah for him. It is also permissible to offer condolences to his family and relatives because he did not commit Kufr (disbelief) when he killed himself.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

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giving Sadaqah (voluntary charity) on behalf of the deceased

Second question from Fatwa No. 501

Q 2: Is there any reward for the dead if someone gives Sadaqah on his behalf? Does such an act increase his good deeds?

A: Giving Sadaqah on behalf of the dead is one of the permissible acts, be it money or just Du`a'. (supplication). It has been narrated by Muslim in his Sahih (authentic) Book of Hadith, Al-Bukhari in Al-Adab Al-Mufrad, and Ahl-ul-Sunan (authors of Hadith compilations classified by jurisprudential themes) on the authority of Abu Hurayrah (may Allah be pleased with him) that the Prophet (Peace be upon him) said: ﴾When a man dies, his acts come to an end except three things, recurring charity, or knowledge (by which people) benefit, or a pious son, who prays for him (for the deceased).﴿ This Hadith generally implies that the reward of Sadaqah reaches the dead person. The Prophet (peace be upon him) did not distinguish between whether this should be willed by the deceased or not, and as such, the Hadith is general on both aspects. Furthermore, mentioning the son and his making Du`a` for the deceased is quite vague due to the many authentic Hadiths designating the permissibility of making Du`a` for the deceased while performing Salah (Prayer) and upon visiting graves, so there is no difference

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between being a close relative of the deceased or not. It has been narrated in the two Sahih Books of Hadith on the authority of `Aishah (may Allah be pleased with her) that the Prophet (peace be upon him) said: ﴾A person came to the Messenger of Allah (peace be upon him) and said: My mother died suddenly without having made a will. Will she be rewarded if I give Charity on her behalf? He (the Prophet) said: Yes.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

Second question from Fatwa No. 1275

Q 2: if a Muslim dies and leaves behind many children and a lot of money, is it permissible for them to slaughter any of their sheep for the dead? Is it permissible for a baker to make bread for him on the seventh or the fortieth day of his death as a gift and gather Muslims to eat?

A: Giving Sadaqah (voluntary charity) on behalf of a deceased person is permissible. Feeding the poor and the needy, giving them a lot, offering food to the neighbors and being generous to Muslims, are all kinds of good deeds that are exhorted by the Shari`ah. As for slaughtering sheep, cows, camels, birds and suchlike for the deceased at the time of his death or on a specific day such as the seventh or fortieth day after his death,

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is an act of Bid`ah (rejected innovation in religion). In addition, baking bread on a specific day such as the seventh day, the fortieth day, Thursdays, Fridays or on the same night to give as Sadaqah on behalf of the deceased at that time, are acts of Bid`ah which were not known at the time of the righteous predecessors (may Allah be pleased with them). We should give up these acts due to the saying of the Prophet: ﴾If somebody innovates something which is not in harmony with the principles of our religion, that thing is rejected.﴿ and: ﴾Beware of invented matters (in religion) for every new matter (in religion) is an innovation and each innovation is an error.﴿ However, the heirs should give charity on behalf of their deceased without specifying a certain time for it due to the belief that it has a certain benefit or excellence unless it is explained by Shari`ah such as the Sadaqah during Ramadan, and in the first ten days of Dhul-Hijjah because of the excellence of these times and multiplication of the rewards therein.

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Second question from Fatwa No. 2634

Q 2: can a dead person benefit from the charity paid by a living person for his sake?

A: A dead person benefits from the charity paid by a living person for his sake according to consensus of Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body). Al-Bukhari and Muslim reported that `Aishah (may Allah be pleased with her)

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said: ("A man came to Allah's Messenger (peace be upon him) and said: 'O Allah's Messenger! My mother died suddenly without making a will. I think if (she could have the opportunity) to speak she would have made a charity. Will there be any reward for her if I give charity on her behalf?' He (the Prophet) said: 'Yes.'") Al-Bukhari reported that `Abdullah Ibn `Abbas (may Allah be pleased with him) said: (The mother of Sa`d Ibn `Ubadah (may Allah be pleased with him) died in his absence. He came to the Prophet (peace be upon him) and said: 'O Allah's Messenger! My mother died in my absence; will it be of any benefit for her if I give charity on her behalf?' The Prophet (peace be upon him) said: 'Yes.' Sa`d said: 'I make you a witness that I give my garden called Al Makhraf in charity on her behalf.'") There are also many other Hadiths that are reported concerning charity paid on behalf of the dead person and the reward that he is granted for that.

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Second question of Fatwa No. 4966

Q 2: is it permissible to give a Sadaqah (voluntary charity) and grant the reward thereof for a dead person who passed away three, seven, or forty days ago?

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A: It is absolutely Mashru` (Islamically acceptable) to give Sadaqah and grant its reward for a dead Muslim person at any time without it being restricted to any period of three, seven, or forty days after his death. This is because Sunah (whatever is reported from the Prophet) ordains giving Sadaqah and granting its reward for the dead without mentioning any specific day after the date of death.

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The first question of Fatwa no. 4669

Q 1: some people distribute food during the month of Ramadan as an act of charity for the dead. Is this Islamically permissible? Benefit us along with citing pertaining proofs.

A: It is permissible to distribute alms to the poor as a continuous act of charity that benefits dead Muslims. Authentic reports of Shari`ah (Islamic Law) prove that such charitable acts benefit the dead. This is the view held by Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body). Alms may be distributed at any time of the year as no authentic report exists to the effect that it should be distributed at a specified time. However, it would be better to distribute it on the blessed and virtuous days of Ramadan and the first ten days of Dhul-hijjah.

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Fatwa No. 8975

Q: My father died and I want to give Sadaqah (voluntary charity) on his behalf as long as I am alive. I hope that your Eminence will tell me about the most favorable months during which Sadaqah should be given. is it permissible to give Sadaqah in any town of the Kingdom of Saudi Arabia? Or should it be given in the town in which the person died? It should be noted that I live in Makkah while the deceased was living in the Southern Region. Appreciate your guidance, may Allah reward you with the best!

A: Giving Sadaqah on behalf of your deceased father is a good deed, and the best times in which you should do so are the month of Ramadan and the first ten days of the month of Dul-Hijjah due to the authentic Hadiths narrated from the Prophet (peace be upon him) in this regard. It is not obligatory to give Sadaqah on his behalf in a certain region, rather it is Mandub (commendable) to do so, and the best place for doing that is Makkah Al-Mukarramah, due to the multiplication of reward involved if there are any needy persons who are in urgent need of this Sadaqah. Otherwise, it should be paid to those who suffer poverty anywhere. However, giving Sadaqah to poor relatives is better and greater in reward, for the Prophet

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(peace be upon him) said: ﴾Your Sadaqah (voluntary charity) to the poor is regarded as one good deed, but paying it to your relatives is both Sadaqah and maintaining ties of kinship.﴿

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dedicating good deeds to the dead

First question from Fatwa No. 11623

Q 1: I have some relatives who died a long time ago. They did not leave any inheritance behind and they had no heirs. Is it permissible for me to perform Hajj (Pilgrimage) on their behalf with my money?

My uncle did not have any children nor did he leave any inheritance behind. I have a Waqf (endowment), is it permissible for me to share this Waqf with him?

My parents died when I was a young child. Is it permissible for me to share the Waqf, which I have with them? It should be noted that I am a wealthy person.

A: First: It is permissible for you to perform Hajj on behalf of your dead relatives if you yourself have already performed Hajj.

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Second: It is permissible for you to give Sadaqah (voluntary charity) on behalf of all your relatives together or on behalf of each one of them separately. Third: It is permissible for you to include your uncle and parents in your Waqf and this is considered an act of gratitude and kindness to them in case you have not started your endowment yet. However, if you have already started the Waqf, then you should not change it. In fact, it should remain as you have started it as long as it agrees with the sanctified Shari`ah.

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giving charity on behalf of a dead person and his knowledge about it

Sixth question from Fatwa No. 2143

Q 6: If a person offers a sacrificial animal, supplicates to Allah, visits a grave and pays charity on behalf of his dead father, will the dead father feel that these deeds are done by his son so-and-so?

A: It is denoted by Shari`ah texts that a dead person benefits from the charity and Du`a' (supplication) offered by living persons. A sacrificial animal is one of the kinds of charity.

If a person is sincere in his charity or Du`a' for the dead person, the dead person will benefit from it. Moreover, a person who supplicates and pays charity will also receive a reward out of Allah's Bounty and Mercy. It is sufficient for a person that Allah knows that he is sincere in doing righteous deeds. Therefore, the dead person and the living people who pay charity or supplicate to Allah will receive a reward. But there is no authentic proof that the dead person knows the person who grants him this reward. This is one of the unseen things that can not be known except through revelation from Allah to his Messenger Muhammad (peace be upon him).

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Fatwa No. 4045

A: I intended to go for Hajj (Pilgrimage) and I have a disabled mother who desired to go as well even though she has already made the obligatory and voluntary Hajj previously. Since my mother was not able to perform Hajj that time, I gave her a young cow to offer as a sacrifice during the period I would be doing my Hajj. Nevertheless, my mother did not do so. After returning home from Hajj I gave her a sheep that she sacrificed. Later on, my mother died. We still have the cow and I want to grant the reward thereof to my mother. Is it permissible to sell it and pay its value in the construction of a Masjid (mosque) which is in need of money or should I slaughter the cow and distribute its meat amongst the poor?

A: Both selling the cow and paying its value toward the construction of a Masjid and slaughtering the cow

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and distributing its meat amongst the poor are permissible for both are pious acts that draw one closer to Allah (Exalted be He). We hope that Allah (Exalted be He) rewards you and your mother with the best for this.

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Du`a' after the Funeral Prayer

Twelfth question from Fatwa No. 5005

Q 12: is it permissible to recite Surah Al-Fatihah and Surah Al-ikhlas in the house of the deceased after three days of their death or it is a detestable Bid`ah (innovation in religion)?

A: We do not have any evidence from the Qur'an or Sunnah in support of the permissibility of reciting Surah Al-Fatihah and Surah Al-Ikhlas or the like in the house of the deceased after three days of their death. In addition, none of the Sahabah (Companions of the Prophet), Tabi`in (Followers, the generation after the Companions of the Prophet), or their followers was reported to have observed this act. The basic principle is to prevent this matter, as the Prophet (peace be upon him) said, ﴿Whoever does an action which is not in accordance with this matter of ours (Islam), will have it rejected.﴾ Whoever claims that reciting Surah Al-Fatihah and Surah Al-Ikhlas is permissible should provide evidence.

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Hiring someone to recite Ayahs over the grave

Fatwa no. 1540

Q: What is the ruling on hiring someone to recite Ayahs of the Qur'an over the grave of a dead person and pray to Allah to credit its reward to the dead person?

A: It is not permissible to hire someone to recite Ayahs of the Qur'an over the grave of a dead person and to pray to Allah to credit its reward to the deceased. This was not a regular practice of the Prophet (peace be upon him) nor any of the Salaf (righteous predecessors). Moreover, none of the religious scholars of Islam is known to have either done or allowed practices of this custom. No disagreement among scholars is known to have arisen over this issue.

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Fatwa no. 142

Q: What is the ruling on hiring someone to recite qur'an over dead people, whether this is done

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at the grave or at the deceased's house while offering condolences? Does the dead person benefit from this recitation? If this practice is batil (null and void), is there any sin on the reciter who gets paid for the recitation or the person who pays him?

A: The process of reciting Qur'an is a pure physical act of worship. It is not permissible to receive fees for reciting Qur'an over the dead or to pay fees to the reciter. If fees are paid, no reward is credited to the dead person to whom the recitation is gifted. Both the person who receives fees and person who pays them will be held sinful. Shaykh Al-Islam Ibn Taymiyyah stated: "It is not permissible to hire someone to recite the Qur'an with the intention of giving its reward to a dead person as none of the renowned scholars of Islam is reported to have gifted the reward of their recitation to dead people. Moreover, scholars hold the view that a person who earns money for reciting the Qur'an shall have no reward and consequently he shall avail no reward to the dead person." The reason behind this impermissibility is that `Ibadah (worship) in Islam is based on the principle of Hazr (proscription) in the sense that no act should be done unless Shari`ah-based evidence exists indicating its permissibility. Allah (Exalted be He) says: ﴾And obey Allâh and the Messenger (Muhammad صلى الله عليه وسلم)﴿ The Prophet (peace be upon him) also said: ﴾He who did any act for which there is no sanction from our behalf, that is to be rejected.﴿ In another narration the Prophet (peace be upon him) is reported to have said: ﴾He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.﴿ Neither the Prophet (peace be upon him) nor any of his Sahabah (Companions) are reported to have practiced such a custom. The best line of conduct to follow is that of Muhammad (peace be upon him) and the worst of matters are matters newly innovated in religion. No act would be better than following the teachings of the Prophet (peace be upon him) provided that sincere intention to solely attain Allah's pleasure while doing this act is sought.

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Allah (Exalted be He) says: ﴾And whosoever submits his face (himself) to Allâh, while he is a Muhsin (good-doer i.e. performs good deeds totally for Allâh's sake without any show off or to gain praise or fame and does them in accordance with the Sunnah of Allâh's Messenger Muhammad صلى الله عليه وسلم), then he has grasped the most trustworthy handhold [Lâ ilâha illallâh (none has the right to be worshipped but Allâh)].﴿ Allah also says: ﴾Yes, but whoever submits his face (himself) to Allâh (i.e. follows Allâh's Religion of Islâmic Monotheism) and he is a Muhsin then his reward is with his Lord (Allâh), on such shall be no fear, nor shall they grieve. [See Tafsir Ibn Kathîr].﴿ A person will incur great evil upon themself if they disobey the teachings of the Prophet (peace be upon him) or seek to attain the pleasure of someone other than Allah while doing any act.

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reciting the Qur'an on behalf of the deceased

Fatwa No. 1207

Q: I heard some learners at Al-Haram-ul-Madany (the Prophet's Mosque) saying that hiring a person to recite Qur'an on behalf of a dead person is not Mashru` (Islamically acceptable). Since this practice is prevalent in our country as well as other countries, please give me a Fatwa regarding this matter as the proofs indicate, and tell me what should be done with the money that was willed by the deceased to be spent on reciting the Qur'an on his behalf?

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A: Hiring a person to recite Qur'an on behalf of a dead person following the will of the latter is a Bid`ah (innovation in religion) which is neither permissible nor valid. This is because the Prophet (peace be upon him) said: ﴾He who did any act for which there is no sanction from our behalf, that is to be rejected﴿ , and he (peace be upon him) said: ﴾He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.﴿ On the other hand, money that was willed by the deceased to be spent on reciting the Qur'an on his behalf should be spent on other forms of beneficence such as giving Sadaqah (voluntary charity) to the poor offspring of the deceased to fulfill their needs, or to those who need support amongst the learners of Qur'an and knowledge of the Shari`ah for they are worthy to be supported with this money.

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reciting the Qur'an for a dead person beside his or her grave

First and second questions from Fatwa No. 1333

Q1: Is it permissible to recite Surah Al-Fatihah or any part of the Qur'an upon visiting graves? Does a dead person benefit from this recitation?

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A: It was authentically reported that the Prophet (peace be upon him) used to visit the graves and supplicate to Allah using certain supplications that he taught his Companions. One of these supplications is: ("Peace be upon you all, inhabitants of the graves from among the believers and the Muslims. Verily we will, Allah willing, (surely) follow you. We ask Allah to give us and you the good.") It was not authentically reported that the Prophet (peace be upon him) recited any Surah or Ayahs (verses) of the Qur'an upon visiting the graves though he used to visit the graves often. Had it been permissible to do so, the Prophet (peace be upon him) would have done it and pointed it out to his Companions out of mercy for the Ummah (nation), seeking reward and conveying the message. Allah described his Prophet by his saying: (Verily, there has come unto you a Messenger (Muhammad صلى الله عليه وسلم) from amongst yourselves (i.e. whom you know well). It grieves him that you should receive any injury or difficulty. He (Muhammad صلى الله عليه وسلم) is anxious over you (to be rightly guided, to repent to Allâh, and beg Him to pardon and forgive your sins in order that you may enter Paradise and be saved from the punishment of the Hell-fire); for the believers (he صلى الله عليه وسلم is) full of pity, kind, and merciful.) As long as the Prophet (peace be upon him) did not do that though there is a cause for it, it denotes the impermissibility of this thing. The Companions of the Prophet (peace be upon him) discerned this end and therefore followed the example of the Prophet (peace be upon him). They were content with only drawing lessons from and performing Du`a' for the dead upon visiting the graves. It was not authentically reported that they recited Qur'an for the sake of the dead. Therefore, reciting Qur'an for the dead is a Bid`ah (innovation in religion). The Prophet (peace be upon him) said: ("He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.") This Hadith was reported by Al-Bukhari and Muslim.

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Q 2: in many Muslim countries, there are people who recite the Qur'an in return for money, is this permissible? Is it a sin on the part of whoever pays them this money?

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A: Reciting the Qur'an is an act of worship through which a servant draws near to Allah. The basic ruling concerning such an act and other acts of worships is that they are done for seeking the pleasure of Allah and His reward, not the gratitude or reward of any other creature. Accordingly, it has never been reported on the part of the Salaf (righteous predecessors) that they paid people to recite Qur'an for the deceased or in feasts or other celebrations. Also it has not been reported on the part of any of the well versed scholars that he ordered this to be done or considered it permissible, or that he received payment for reciting the Qur'an. Rather, they recited the Qur'an for the sake of attaining the pleasure of Allah. The Prophet (peace be upon him) ordered whoever recites the Qur'an to beseech Allah through it, and warned against reciting the Qur'an and asking people for a reward in return for it. It has been narrated by Al-Tirmidhy in his Sunan (Hadith compilations classified by jurisprudential themes) on the authority of `Imran ibn Husayn that (He passed by a person who recited the Qur'an and then asked people for money. Then he said: Inna Lillahi Wa Inna Ilayhi Rajiun (We belong to Allah and to Him we are returning), I heard the Messenger of Allah (peace be upon him) while he was saying: Whoever recites the Qur'an should ask Allah through it as there will come some people who recite the Qur'an and ask people for reward in return for it.) As for receiving a payment in return for teaching the Qur'an, making Ruqyah (reciting Qur'an and saying supplications over the sick seeking healing) or similar matters which benefit others, there are many sound Hadiths on the permissibility of doing so. These Hadiths include the narration of Abu Sa`id in which he took a flock of sheep in return for reciting Al-Fatihah over a person who was stung, and the Hadith narrated on the authority of Sahl in which the Prophet gave a woman in marriage to a man and made her dowry that he should teach her what he memorizes of the Qur'an. Consequently, receiving payment in return for reciting the Qur'an or paying people to do that, is contrary to the Sunnah, and to the Ijma` (consensus)

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of the Salaf (may Allah be pleased with them all).

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Third question from Fatwa No. 1504

Q 3: what is meant by the Hadith that states: Recite Surah Ya-Sin over your dead?

A: It is narrated by Ahmad, Abu Dawud, Al-Nasa`iy, Ibn Majah, Ibn Hibban and Al-Hakim on the authority of Ma`qil ibn Yasar that the Prophet (peace be upon him) said: ﴾Recite Surah Ya-Sin over your dead.﴿ Imam Ahmad narrated it with the following wording: ﴾Surah Ya-Sin is the heart of the Qur'an; no one recites it, seeking Allah and the next life, except that they are forgiven. Recite it for your dead.﴿ This Hadith was ranked as Sahih (authentic) by Ibn Hibban. However, it was ranked as a Hadith Ma`lul (a Hadith that appears to be sound, but thorough research reveals a disparaging factor in the chain of narrators or the text) by Yahya ibn Al-Qattan because it is Mudtarib (a Hadith with disagreement over a transmitter or the text), Mawquf (a Hadith narrated from a Companion of the Prophet) and because Abu `Uthman and his father who are mentioned in the Sanad (chain of narrators) of this Hadith are unknown. Al-Daraqutny said: This Hadith has a weak Isnad and an anonymous Matn (text of a Hadith) and there is no Sahih Hadith in this regard. Consequently,

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we do not need any explanation for this Hadith as it is not an authentic. Assuming that it is authentic, this Hadith means that Surah Ya-Sin should be recited over the dying person. This way he will hear a sermon and listen to the recitation of the Qur'an before he departs from this life. It does not mean that Surah Ya-Sin should be recited over the dead person as some people hold as there is no reason for such an interpretation of a clear meaning. However, this opinion is refuted by saying that if this Hadith means that Surah Ya-Sin should be recited over the dead person, the Prophet (peace be upon him) would have acted accordingly and this would have been reported to us, but this has not happened as we have mentioned previously. Saying that this Hadith speaks about the dying person is substantiated by the Hadith narrated by Muslim in his Sahih (authentic) book of Hadith that the Prophet (peace be upon him) said: ﴾Dictate to your dying ones (to say): There is no God but Allah.﴿ So the Hadith refers to the dying person as in the story of Abu Talib, the uncle of Prophet Muhammad (peace be upon him).

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Dedicating the reward of Recitation to the deceased

Third question from Fatwa No. 2232

Q 3: does the reward of reciting Qur'an and other acts of worship

reach the deceased, whether done by the deceased's offspring or by others?

A: As far as we know, there is no report from the Prophet (peace be upon him) to indicate that he recited Qur'an and dedicated its reward to the dead, whether they were his relatives or others. If the reward could reach them, he would have been keen on doing so and would have taught it to his Ummah (Nation) so that they could help the dead in this way. He (peace be upon him) was filled with compassion and mercy towards his Ummah. The Rightly-Guided Caliphs and the rest of the Sahabah (Companions of the Prophet) followed his guidance (may Allah be pleased with them all). We do not know that any of them dedicated the reward of reciting Qur'an to someone else. The best of all goodness resides in following the guidance of the Prophet (peace be upon him) and of the Rightly-Guided Caliphs and the rest of the Sahabah (may Allah be pleased with them), and evil resides in following Bid`ah (innovation in religion) and innovated matters. The Prophet (peace be upon him) warned us about this when he said, (Beware of novelties, for every novelty is an innovation, and every innovation is an error.) He also said, (Whoever introduces anything into this matter of ours (Islam) that is not part of it, will have it rejected.) Therefore, it is not permissible to recite the Qur'an for the dead or to dedicate the reward of this recitation to them for doing this is a Bid`ah.

With regard to other kinds of acts of worship, wherever there is a reliable proof indicating that the reward may reach the deceased, then we should accept this, e.g. giving Sadaqah (voluntary charity) on their behalf, making Du`a'(supplicating to Allah) for them, and performing Hajj on their behalf. However, things unjustified by evidence may not be observed until evidence appears in their support. Therefore, according to the soundest of the two scholarly opinions, it is not permissible to recite the Qur'an for the deceased, and the reward for this recitation does not reach them, but is rather a Bid`ah.

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The third question of Fatwa no. 2634

Q 3: If someone recites a Surah (chapter) of the Qur'an and then gives its reward as a gift to a dead person, will the reward be credited to that dead person? what did the Prophet (peace be upon him) say when he passed by graves? Did he recite Ayahs (Qur'anic verses) of the Qur'an or just pray Allah to forgive the dead?

A: Firstly: If someone recites Ayahs of the Qur'an and then gives its reward for a dead person, the most correct opinion is that no reward will be credited to that dead person as recitation is not considered as part of his actions. Allah (Exalted be He) states that man benefits only from actions which he has striven for. Reward for recitation is credited only to reciters who do not have the ability to give the reward of their recitation to others. A detailed fatwa has been issued in this regard by the Permanent Committee for Scholarly Research and Ifta. The fatwa is as follows:

Q 1: Is it permissible to recite Al-Fatihah (the opening chapter of the Qur'an) or a group of Ayahs for the benefit of a dead person?

A: It is authentically reported that the Prophet (peace be upon him) used to visit the graves and pray Allah to grant forgiveness to the dead. He used to teach his Sahabah (Companions) what to say upon visiting the graves. Among the many formulas of Du`a' (supplication) which the Prophet (peace be upon him) used to say upon visiting the graves of Muslims is the following Du`a': (Peace be upon you, inhabitants of the abode of the believers and Muslims and we, if Allah so wills, are about to

join you. I pray Allah to protect us and you.) No authentic report is narrated from the Prophet (peace be upon him) to the effect that he used to recite Surahs from the Qur'an or a group of Ayahs despite his repeated visits to graves. Had this been permissible, the Prophet would have clarified it to his Sahabah for the sake of attaining reward and as a means of mercy to his Ummah (Community) and fulfillment of the duty to convey the Message of Islam. In this respect Allah describes His Prophet saying: (Verily, there has come unto you a Messenger (Muhammad صلى الله عليه وسلم) from amongst yourselves (i.e. whom you know well). It grieves him that you should receive any injury or difficulty. He (Muhammad صلى الله عليه وسلم) is anxious over you (to be rightly guided, to repent to Allâh, and beg Him to pardon and forgive your sins in order that you may enter Paradise and be saved from the punishment of the Hell-fire); for the believers (he صلى الله عليه وسلم is) full of pity, kind, and merciful.) Despite the ability to do this, the Prophet (peace be upon him) is not reported to have done this. His Sahabah (may Allah be pleased with them all) also followed the Prophet's example and would only pray that Allah forgive the dead when they visited the graves. The Sahabah are not reported to have practiced the custom of reciting Qur'an upon visiting the graves. Accordingly, this present day practice is regarded as Bid`ah (rejected innovation in religion). It is authentically reported that the prophet (peace be upon him) said: (He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: In many Muslim countries, we often find people who hire a person to recite the Qur'an; is it permissible for this man to take fees for his recitation? Are those who pay him sinful for this?

A 2: Reciting the Qur'an is an act of worship that brings one close to Allah. Everyone should perform acts of worship seeking Allah's Pleasure and Reward and should seek nothing from anyone else.

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Therefore, it was not related that any of the Salaf (Righteous Precedents) hired people to recite the Qur'an in condolence ceremonies, banquets or similar occasions. Also, it was not reported that one of the Imams (great scholars) gave orders to do so or permitted it. They were known for reciting the Qur'an for the sake of Allah and it was not narrated about them that one of them took fees for reciting the Qur'an. The Prophet (peace be upon him) ordered to ask Allah through reciting the Qur'an and he warned of asking people for money by reciting it. Al-Tirmidhy related in his Sunan (Hadith compilations classified by jurisprudential themes) on the authority of `Imran ibn Husayn that he passed by a man reciting the Qur'an and asked for money, so he said, "Inna Lillahi wa innan ilayhi raji'un (Truly! To Allah we belong and truly, to Him we shall return)." Then, he said, "I heard the Messenger of Allah (peace be upon him) saying: ("Whoever recites the Qur'an should ask from Allah by it, for there will come a people who recite the Qur'an and will the ask from people by it.") As for taking fees for teaching the Qur'an or making Ruqyah (reciting Qur'an and saying supplications over the sick seeking healing) and similar things whose benefits are not restricted to the reciter, it is allowed according to the authentic Hadiths in this regard such as the Hadith of Abu Sa`id when he took a flock of sheep in return for reciting Surah Al-Fatihah as Ruqyah on a man who had been bitten. Also, there is the Hadith of Sahl that the Prophet (peae be upon him) married a woman to a man and her dowry was teaching her the Qur'anic Surahs he had memorized. Accordingly, taking fees for

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mere recitation or hiring people to recite the Qur'an goes against the Sunnah and the consensus of the righteous Salaf (may Allah be pleased with them all).

Secondly, the Prophet (peace be upon him) used to visit graves with the aim of gaining warnings and lessons and remembering the Hereafter. He (peace be upon him) would supplicate for those buried in them and ask Allah's Forgiveness for them and he taught his companions to say when visiting the graveyards, (Peace be yours, inmates of the abodes of the believers and the Muslims. We shall follow you, God willing. May Allah grant you and us safety).) It is not reported, as far as I know, that the Prophet (peace be upon him) recited Surahs from the Qur'an and granted their reward to the dead in spite of his frequent visiting of the graves and he is the most kind and merciful person to the believers.

May Allah grant us success and peace and blessings be upon our Prophet and his family and companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no.(4835)

Q: I am sending your Eminence some questions regarding conveying the reward to the dead, hoping that your Eminence would provide us with the answer in light of the Qur'an and the Hadith through "Al-Da`wah Al-Saudiyyah" magazine, in order to spread the benefit for whoever reads the magazine. Please accept our deep appreciation.

A-

Is it feasible to convey the reward of good deeds to the dead

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in general?

B-

is it permissible to hold a session to finish reciting the Qur'an and then send the reward of the recitation to the dead, including the Prophets?

C-

Is it permissible to attend such sessions for the aforementioned purpose, then to gather to eat with this congregation afterwards? We are awaiting your reply. .

A: First, the authentic opinion amongst the sayings of the scholars is that it is impermissible to extend good deeds on behalf of the dead, except for what is prescribed by the Shar` (Islamic Law) like, supplicating, seeking Allah's forgiveness for the dead, offering Hajj, `Umrah, charity for them, sacrificing and making up for the obligatory Sawm (fast) on their behalf.

Second, it is impermissible to recite the Qur'an with the intention of giving the reward to the dead, for this has not been reported from Al-Mustafa (Prophet Muhammad) (peace be upon him). Moreover, as was mentioned in the first paragraph, it is impermissible for any Muslim to offer good deeds on behalf of the dead, unless it is already prescribed by the Shari`ah. It is authentically reported that the Prophet (peace be upon him) used to visit the graves and supplicate Allah (Exalted be He) for the sake of the dead by reciting invocations that he taught his Sahabah (Companions of the Prophet), among which is saying: ﴿Peace be upon you, O dwellers of the abodes of the believers and the Muslims. In shaa-Allah (if Allah wills), we shall follow you, we supplicate to Allah to grant well-being for ourselves and for you.﴾ It was not proven that the Prophet (peace be upon him) recited any Surah (Qur'anic Chapter) of the Qur'an, or any Ayah (Qur'anic verse) to give its reward to the dead. However, he used to visit graves often. Thus, if reciting Qur'an for the dead had been permissible, he (peace be upon him) would have done and clarified it

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for his Sahabah to guide them to the reward of this out of mercy for the Ummah (Nation), and to fulfill the duty of reporting (to his Nation), as Allah (May he be Exalted) described him (peace be upon him) by saying: ﴿Verily, there has come unto you a Messenger (Muhammad صلى الله عليه وسلم) from amongst yourselves (i.e. whom you know well). It grieves him that you should receive any injury or difficulty. He (Muhammad صلى الله عليه وسلم) is anxious over you (to be rightly guided, to

repent to Allâh, and beg Him to pardon and forgive your sins in order that you may enter Paradise and be saved from the punishment of the Hell-fire); for the believers (he صلى الله عليه وسلم is) full of pity, kind, and merciful.﴿ However, since he did not do this despite the existence of the reason to do so, this indicates that it is invalid. Moreover, the Sahabah (may Allah be pleased with them) knew this, and they followed his way (peace be upon him) and were satisfied to learn from the examples and supplicating for the dead when visiting them. It has not been proven that they ever recited Qur'an for the dead, for reciting to them is a Bid`ah (innovation in religion). It is authentically reported that he (peace be upon him) said: ﴾If anybody introduces a practice which is not authenticated by me, it is to be rejected﴿ .

Accordingly, it is impermissible to hold a session for reciting the entire Qur'an for the dead.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Claiming that graves are dark until people feed others on behalf of the deceased

First and second questions from Fatwa No. 5090

Q 1: Is it permissible for the family of the deceased to cook food during the same day

in which a person passes away to serve it to those who attend the Funeral Procession, and that the food should be served before burying the dead? Those who do this take the Ayahs of Sadaqah (voluntary charity) and spending in the way of Allah as proof in this regard. They also say that the grave is dark and serving food for people will lighten the grave before the deceased enters it.

A: preparing food for the people who attend the Funeral is an act of Bid`ah (rejected innovation in religion) and an act of Jahiliyyah (pre-Islamic time of ignorance).

As for the claim that the grave is dark and serving food by the people of the deceased and giving charity on his behalf before burying him will lighten the darkness of the grave before he goes into the grave, this has no origin and saying this is a matter of guesswork because it is a matter of the Ghayb (Unseen) which no one but Allah knows.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: what is the ruling on circulating the Qur'an in a funeral gathering before burying the dead person? The Imam of the Masjid (mosque) performs exemption for the dead person from what was incumbent upon him during his life that he did not do. This Imam takes a copy of the Qur'an and puts money in it, and then he gives the Qur'an and the money to each of the attendees until it reaches the last one. Then the Qur'an and the money return to the Imam who takes them and leaves. People allege that doing so expiates for negligence in performing the prescribed Salah (prayer) and other sins.

A: There is no valid basis for any of what is mentioned. It is one of the corrupt tricks

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inspired by Satan to his followers.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
\`Abdullah ibn Qa\`ud	\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

First and Second questions of Fatwa No. 5138

Q 1, 2: I read in the book of Al-`Aqidah Al-Tahawiyyah that scholars have three opinions regarding reciting Qur'an for the deceased beside his grave. Some of them hold such a practice as Makruh (reprehensible), some others consider it as Mustahab (desirable), while other scholars believe that there is nothing wrong with it being done at the time of burial. However, we can not find any proof either from the Qur'an or the Sunnah (whatever is reported from the Prophet) concerning this issue. We enquired many times about it but we could not get any explicit scholarly answer until now. Most of the people recite Qur'an at the graves and especially read Surah (Qur'anic chapter) Ya-Sin when placing the deceased into the grave; is this valid? Please provide us with a detailed answer and convincing proofs so that we will be able to answer whoever asks us regarding this issue.

What is the opinion of your Eminence concerning whoever says: "Al-Fatihah Li-l-Naby i.e. Recite Al-Fatihah on behalf of the Prophet". Moreover, what is your opinion regarding reciting Al-Fatihah on behalf of the Awliya' (pious people)? The form we always hear from the majority of people is: Recite Al-Fatihah for the Messenger of Allah that He may grant us His Blessings, protect us against all evils, and take Satan away from us. Please provide us with a perfect answer for there are many sayings regarding this practice. While some people say it is a Bid`ah (innovation in religion),

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others say that the Messenger (peace be upon him) is not in need of its reward. Please tell us what is the ruling on this so that we may follow the Straight Path that has no deviations.

May Allah reward you with the best.

A: Reciting the Qur'an on behalf of the dead (whether Messengers, Awliya', etc.) before or after burial is not permissible because this practice is a form of `Ibadah (worship) and `Ibadahs (worships) are based on Tawqif (a religious text and not personal opinion). Moreover, there is no evidence for its validity. On the other hand, it is authentically reported from the Prophet (peace be upon him) that he said: (He who did any act for which there is no sanction from our behalf, that is to be rejected.) , he (peace be upon him) also said: (Observe some of your Prayers in your houses and do not make them like graves, for verily Satan flees from a house in which Surah Al-Baqara is recited.) (Related by Muslim in his Sahih 'authentic' Book of Hadith). The second Hadith signifies that graves are not places for offering Salah (Prayer) or reciting Qur'an.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

First, second, third and fourth questions from Fatwa No. 6639

Q 1: In my country, when a person dies and a person goes to offer their condolences to the family of the deceased, they enter raising their hands to their shoulders and start reciting Al-Fatihah, and at the same time the relatives of the deceased stand and recite it in unison with the said person, then they all sit and he greets them saying: As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) and they reply with the same greeting. Is this an act of Sunnah? What is the proper way according to Sunnah to offer condolences to the family of the deceased?

A: What you have mentioned concerning the person offering condolences and raising his hands to his shoulders upon entering the house of the family of the deceased, and reciting Al-Fatihah with them, then they sit and he offers his greetings, all this is an act of Bid`ah (rejected innovation in religion). However, it is prescribed to say Salam (Islamic greeting of peace) but not to recite Al-Fatihah or anything that is not ordained or to raise his hands to his shoulders.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: Three days after the death of a person, some of the reciters of the Qur'an used to gather and recite the Qur'an for the sake of a dead person. Then some people sit and put pebbles and recite Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]") for more then one thousand times.

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Then they put these pebbles upon the grave of the dead person. Is it permissible to do so or is it a Bid`ah (innovation in religion)? We would like to know the truth in this regard.

A: Firstly: gathering on the third day with the bereaved family to recite the Qur'an and granting its reward to the dead person is not permissible.

Secondly: Reciting Tahlil, Tasbih (saying: "Subhan Allah [Glory be to Allah]"), Du`a' (supplication) or reciting the Qur'an over pebbles one thousand times, or more or less and putting these pebbles upon the grave is a Bid`ah. The prophet (peace be upon him) said: ("He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.") This Hadith was reported by Al-Bukhari and Muslim. There is another wording of this Hadith that is: ("He who does any act for which there is no sanction from our behalf, that is to be rejected.") This narration was reported by Muslim in his Sahih.

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Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 3: It is the custom of people to put two stones on the graves of the deceased men, one at one end of the grave and one at the other end of the grave. As for the graves of women, they put three stones; one at one end of the grave, one in the middle and a third at the other end of the grave in order to mark it. They write her name, her father's name, the date of her death and some Ayahs of the Qur'an on a stone board which is put on the grave. Is this permissible or not?

A: Firstly: We do not know any proof on the permissibility of differentiating between the grave of a woman and the grave of a man with a stone or suchlike and the basic ruling is that there is no need to distinguish between the two.

Secondly: It is forbidden to write on the grave whether the name of the buried person,

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the date of his death or anything else because of what has been related by Al-Tirmidhy and Al-Nasa'iy (that the Prophet (peace be upon him) prohibited writing on graves...) The Sanad (chain of narration) of this Hadith is Sahih (authentic).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 4: some people celebrate the fifteenth, the fortieth day, and the anniversary of the death of their relatives, by reciting the Qur'an and dedicating it to the soul of the deceased. Is this a Sunnah (supererogatory act of worship following the example of the Prophet)?

A: This is a Bid`ah (rejected innovation in religion) which has no basis in Shari`ah. It should be abandoned, as the Prophet (peace be upon him) stated, (If a person performs an act which is not in accordance with our command, is to be rejected.) Related by Imam Muslim in his Sahih (authentic) Book of Hadith. This was never done by the Prophet (peace be upon him) or his Sahabah (Companions, may Allah be pleased with them). Thus, it is a Bid`ah that should not be done.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

reciting the Qur'an for the Dead beside their Graves

Fatwa no. 8601

Q: I am a student at the Islamic University. I visit my homeland, Northern Yemen, every year to spend the summer vacation there and to practice Da`wah (calling to Islam) as much as possible. It is known that the path of Da`wah is thorny;

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however, what cannot be completely achieved should not be entirely abandoned. Earlier this year, I was confronted with some questions about reciting Qur'an and giving Sadaqah (voluntary charity) beside the graves. I denounced this as a Bid`ah (innovation in religion), as it was neither done by the Prophet (peace be upon him) nor by any of his Sahabah (Companions).

People began to be convinced by this, but a person opposed me and said that it is permissible to do. We had an extended argument, until we asked for a Fatwa. One of the scholars of Al-Zaydiyyah city in Yemen gave us the following Fatwa: "Reciting the Qur'an and giving Sadaqah beside the grave is neither Wajib (obligatory) nor a Sunnah (supererogatory act of worship following the example of the Prophet) or Makruh (reprehensible), but it is a fine Bid`ah. What the Muslims consider as acceptable will be acceptable to Allah, unless the Sadaqah is given from the money of a minor orphan. It is unacceptable only in this case." Please, Your Honor, I would like to have an answer to the following questions:

First,

is this Fatwa definitely correct?

Second,

Is the rule of preference general and applicable to any form of `Ibadah (worship) in Islam, or is Islam the controller of everything?

Third,

Is it permissible to agree with the people who commit Bida` on this, or should we denounce this as much as possible?

A: First, reciting the Qur'an beside the graves of the dead is impermissible; it is in fact a Bid`ah, as the Prophet (peace be upon him) stated, (Offer some of your Salah (Prayer) at home and do not make them like graves, for verily Satan flees from the house in which Surah Al-Baqarah is recited.) This Sahih (authentic) Hadith proves that people do not offer Salah or recite Qur'an beside the graves. As for giving Sadaqah on behalf of the dead, it is permissible and benefits them,

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as the Prophet (peace be upon him) stated, (When a person dies, their deeds come to an end,

except for three things: Sadaqah Jariyah (ongoing charity), knowledge by which people benefit, or a pious son who prays for them (for the deceased).》 Narrated by Muslim in his Sahih Book of Hadith. A man once asked the Prophet (peace be upon him), 《O, Messenger of Allah! My mother died and left no will. Will she be rewarded if I give Sadaqah on her behalf? The Prophet (peace be upon him) said: Yes.》 Agreed upon by Al-Bukhari and Muslim. However, it is impermissible to do it beside the grave in particular, as there is no evidence for this. `Ibadah should be Tawqifiyyah (bound by a religious text and not amenable to personal opinion). It should be proven by Sahih Hadiths and approved by Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body). **Second,** not everything which is approved by the Muslims is correct, but it should be referred to the Qur'an and the authentic Sunnah of the Prophet (peace be upon him). Whatever coincides with any or both of them is accepted; otherwise it is rejected, unless all the Muslims unanimously agree upon a matter. In this case, it is accepted, as the Islamic Ummah (community) cannot unanimously agree to something incorrect, and Ijma` (consensus of scholars) is the third principle of jurisprudence according to Ahl-ul-Sunnah wal-Jama`ah. **Third,** a Muslim should resist evil as much as possible if they know that it is evil according to Islamic law, either physically (if they are able to do, such as a ruler among his people, a patron in his family, and anyone who has authority) or by means of the tongue. If they cannot, they should resent it in their hearts. This is the least degree of Iman (Faith)

as proven by the Sahih Hadith, in which the Prophet (peace be upon him) stated, 《Whoever, among you, sees something abominable should rectify it with the hand. If they have not strength enough to do it, they should do it with the tongue; and if they have not strength enough to do it, they should abhor it from the heart; and that is the least degree of Iman.》 Narrated by Muslim in his Sahih Book of Hadith.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Dedicating the reward to the Messenger (peace be upon him)

The second question of Fatwa no. 3582

Q 2: On the last night of Ramadan in 1400 A.H., the Imam (the one who leads congregational Prayer) finished the recitation of the whole Qur'an. He said that the reward of this Khatmah (completing of one reading of the whole Qur'an) is dedicated to our Prophet Muhammad (peace be upon him). What is the opinion of the Shari`ah (Islamic law) on this?

A: It is not permissible to dedicate the reward of any act of worship or Khatmah to the Messenger (peace be upon him).

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The Salaf (righteous predecessors) from the Sahabah (Companions of the Prophet) and those after them did not do so. The acts of `Ibadah (worship) are Tawqifiy (bound by a religious text and not amenable to personal opinion). The Prophet (peace be upon him) said: ﴿Anyone who does an action which is not in accordance with this matter of ours (Islam), will have it rejected.﴾ The Prophet (peace be upon him) is rewarded for every righteous act performed by his Ummah (nation) just as they are, because it was he who guided and directed them to this. It has been authentically reported that the Prophet (peace be upon him) said: ﴿Anyone who guides to good will have a reward like that of the one who does it.﴾ (Related by Muslim in his "Sahih [Book of Authentic Hadith]" on the authority of Abu Mas`ud Al-Ansary [may Allah be pleased with him]).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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dedicating the reward of good deeds to a dead person is confined to a certain time

Fatwa No. 2090

Q: I read a book called Al-Mukhtar Wa Matali` Al-Anwar. The author of this book said that the Prophet (peace be upon him) said: ("No night will come harder to the dead person than the first night, so show mercy to your dead by offering Sadaqah and whoever cannot afford it, let him offer a two-rakat prayer, in which he should recite Al-Fatihah, Ayat-ul-Kursi (the Qur'anic Verse of Allah's Chair, Surah Al-Baqarah, 2:255), Al-Takathur, and the Surah Al-Ikhlas eleven times, and then say: 'O Allah! I have offered this prayer and You know what I want. O Allah send its reward to the grave of so-and-so.' Allah forthwith will send to his grave a thousand angels, with each angel light and guidance, and they will keep company with him in his grave until the Trumpet is blown. Allah will then give the person who performed this Salah (prayer) as much good deeds as whatever the sun has shined on, and raise him forty degrees, give him the reward of forty journeys of Hajj and Umrah, build for him a thousand cities in Paradise and give him the reward of a thousand martyrs. Moreover, this person will be clothed with a thousand garments.") **He added: "This is a great reward and benefit. Every Muslim should perform this Salah every night and grant its reward to the dead-Muslim persons..." Is it permissible and authentically reported to offer Sadaqah (voluntary charity) and Salah according to the manner mentioned above? Is the Hadith mentioned in this book an authentic one? Who is the author of the book called Al-Mukhtar Wa Matali` Al-Anwar? What is the ruling on those who work according to what is mentioned in this book?**

The answer:

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A: There is no doubt that the Hadith mentioned in this question is one of the fabricated Hadiths ascribed to the Prophet (peace be upon him). There is also no doubt that Sadaqah or Salah performed according to the manner mentioned above in the fabricated Hadith has no basis. A Muslim is not permitted to perform it on the first night when the dead person is put in the grave or on any other nights. But a person is permitted to offer Sadaqah for the sake of a dead person at any time he wills whether he is one of his relatives or not. It was authentically reported that the Prophet (peace be upon him) said: ("A man said: 'O Messenger of Allah! My mother died suddenly without having made any will. I think she would have definitely given Sadaqa if she had been able to speak. Would she have a reward if I give Sadaqah on her behalf?' He (peace be upon him) said: 'Yes.'") He did not single out the first night after burial or any other night in any way. Scholars from Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body) have unanimously agreed that the dead Muslim benefits from Sadaqah and Du`a' performed for his sake. As for the author of the book called Al-Mukhtar Wa Matali` Al-Anwar, we do not know anything about him or his book. But

what you have quoted of his book denotes that he is not one of the reliable scholars. We ask Allah to guide us, you and all Muslims to useful knowledge and righteous deeds.

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granting the reward of Salah to a dead person

The first and second question of Fatwa no.(7482)

Q 1: Is it permissible to offer any number of Rak`ahs (units of prayer) at any time, then grant their reward to the dead? Does the reward reach them or not?

A: It is impermissible to grant the reward of your Salah (prayer) to the dead, for it is a Bid`ah (innovation in religion). This is so because this has not been authentically reported from either the Prophet (peace be upon him) or the Sahabah (Companions of the Prophet) (may Allah be pleased with them). The Prophet (peace be upon him) said: (If anybody introduces a practice which is not authenticated by me, it is to be rejected) Related by Al-Bukhari and Muslim .

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Q 2: When I recite the entire Qur'an at home or in the Masjid (Mosque) then dedicate the reward of the recitation to the dead, does the reward go to them or not? Is it permissible for me to recite Surah Al-Fatihah or other Qur'anic verses at the graves? Is it permissible for me to visit the graves on Fridays or on `Eid days because some people always visit the graves, greet the dead, and recite the Qur'an and Surah Al-Fatihah there? Is it true that Allah returns the spirits to the dead on Fridays and `Eid days to reply to the greeting of those who greet them or not?

A: First: it is not permissible to recite the Qur'an and dedicate its rewards to the dead. Likewise, it is not permissible to recite the Qur'an at the graves.

Second: It is not authentically reported that the Prophet (peace be upon him) specified a day for visiting the graves. In fact, he used to visit the graves at any time without specification,

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and all good lies in following in his footsteps. Also, it is not authentically reported that Allah returns the spirits to the dead on Fridays or `Eid days specifically to reply to the greetings of those who greet them in their graves.

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Performing Salah on behalf of the deceased parents

Second question from Fatwa No. 7782

Q 2: is it permissible to donate the reward of Salah (Prayer) to a person's deceased parents as in the case of giving Sadaqah (voluntary charity) on their behalf?

A: It is not permissible to perform Salah on behalf of a person's deceased parents or anyone else, or to donate the reward of Salah to them. As for the case of giving Sadaqah on their behalf, this is bound by legal text that only mentions Sadaqah, and Qiyas (analogy) is not permissible in this regard. Furthermore, nothing has ever been narrated from the Prophet (peace be upon him) or his Sahabah (Companions of the Prophet) (may Allah be pleased with them) that indicates the permissibility of donating the reward of Salah to the deceased.

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Third question from Fatwa No. 7777

Q 3: is it permissible to offer the obligatory Salah (prayer) or the Sunnah on behalf of one of the deceased's parents?

A: It is not permissible to offer Salah on behalf of another person; whether they are deceased or alive, or if it is obligatory or supererogatory, this is an act of Bid`ah (rejected innovation in religion) as this has no legal evidence. The Prophet (peace be upon him) said: ﴾If somebody innovates something which is not in harmony with the principles of our religion, that thing is rejected.﴿ in another wording: ﴾He who does any act for which there is no sanction from our behalf, that is to be rejected.﴿ Agreed upon Hadith. An exception to this ruling are the two Rak`ahs of circumambulation which may be performed by whoever performs Hajj and `Umrah on behalf of another person because it is a subsequent action of Hajj and `Umrah.

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The fifth question of Fatwa no. (9217)

Q 5: My mother died after having suffered a great deal in her illness, may Allah be merciful with her. She did not offer Salah (Prayer) for ten days, during this time. She was in a coma for some time, and at the times that she regained her consciousness, she did not offer prayer. This all occurred in a period of ten days. Should I make up for the missed Salahs on her behalf? Or what should I do for her? is it permissible to grant the reward of Salah to the dead?

A: It is impermissible to make up for missed Salah on behalf of any deceased person, regardless of the reason for abandoning the Salah. It is also impermissible for you to offer Salah with the intention of granting its reward to the dead, for it is not prescribed by the Shari`ah (Islamic Law). The Prophet (peace be upon him) said: ﴾If any one introduces a practice which is not authenticated by me, it is to be rejected﴿ , Related by Muslim in his Sahih (authentic book of Hadith).

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sawm on behalf of the dead

The second question of Fatwa no. 12414

Q 2: My father died and he missed some days of fasting during Ramadan. After finishing the mourning period, my mother made up for these missed days on behalf of my father. Is this act permissible or not? Can any of my father's relatives make up for these days on his behalf? Please answer me, may Allah reward you best.

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A: This is a good deed and it is enough that your mother made up for the days of Sawm (Fast) her husband missed in Ramadan. May Allah multiply her reward and bless you.

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performing Hajj on behalf of the deceased

Fatwa No. 13037

Q: Our family was afflicted by a drowning accident, the result of which was that my parents died along with three sisters and a brother. One of those sisters was only twenty-three years old, one was only twenty years old, and the third was only fourteen years old while the brother was nine years old.

I have some questions related to the members of my family who passed away and I hope that you answer them. May Allah reward you with the best. My mother (may Allah be merciful with her) already performed Hajj (Pilgrimage) but she wanted to perform it again but she died before doing so. On the other hand, my sisters (may Allah be merciful with them all) did not perform the obligatory Hajj.

Q 1: What is the best thing to be done for my mother and sisters (may Allah be merciful with them all) regarding the issue of Hajj?

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Is it permissible to hire some people to do Hajj on their behalf or should we do it ourselves on their behalf - bearing in mind that we want to choose the way that entails more reward?

Q 2: My sister who died when she was twenty-three years old (may Allah be merciful with her) attained puberty when she was only thirteen years old. She did not observe Sawm (Fast) in Ramadan for two years. Afterwards we knew that she had to make up the missed Sawm and do the Kaffarah (expiation). She started the two months Sawm but she died before completing them even though she (may Allah be merciful with her) had intended to do Sawm for the full two months. Also, we do not know how many days she could not make up? What suffices her missed Sawm; observing Sawm on her behalf or giving Sadaqah (voluntary charity) as such?

Q 3: My sister who was fourteen years old (may Allah be merciful with her) was born on the twenty-first of Dhul-Hijjah in the year 1396 A. H. and died on the sixteenth of Al-Muharram in the year 1410 A. H. Thus, she died one full month before turning fourteen years old. She attained puberty seven months before she died, meaning, she did not observe Sawm for six days of Ramadan. What should we do for her? Was Hajj obligatory on her? Do we have to observe Sawm for the six days of Ramadan that she did not make Sawm because she was pubertal at that time? If Hajj or Sawm should be made up on behalf of my sisters or my mother, who is the best person to undertake this amongst the relatives - bearing in mind that the rest of the family chose three brothers who are all pubertal, capable, and sane?

Q 4: During this accident a bag containing some of my money sunk in the River Nile. Some of this money was a remnant of the Zakah (obligatory charity) that I intended to pay in Egypt. Should I

give Zakah instead of the sum of money that I lost?

Q 5: Does my brother who drowned when he was only nine years old need any of our Du`a' (supplication), Sadaqah, Hajj, or `Umrah (lesser pilgrimage)? Thank you very much.

A: First, you have to perform Hajj on behalf of each of your sisters who attained the age of puberty out of their own estate. It is better that you, meaning, the other members of the family do this yourselves. **Second,** the one Hajj that your mother performed suffices her; no other Hajj is obligatory on her. The fact that she intended to make Hajj again has no effect in this regard. Any way, it is still permissible for you to perform voluntary Hajj on her behalf. **Third,** it is permissible for you to observe Sawm on behalf of your sister who missed the Sawm of two months after attaining puberty. You may do so for the number of days you think she most probably missed and feed one needy person because of the delay in making up these days since your sister slighted the matter until she was twenty-three years old. Likewise, you may observe Sawm on behalf of your younger sister for the six days she missed from last Ramadan for it is authentically reported that the Prophet (peace be upon him) said: ﴾If someone dies in a state (that they had to complete) some days of fasting, their heirs must fast on their behalf.﴿

Fourth, it is obligatory on you to give Zakah to the poor instead of the money that was lost in the river because the latter did not reach those who deserved it.

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The fourth question of Fatwa no. 3548

Q 4: is it permissible to pronounce istighfar (seeking forgiveness from Allah) and give Sadaqah (voluntary charity) on behalf of a person who died having abandoned Salah (Prayer), or who did not offer Salah regularly? Is it permissible to attend that person's funeral and bury them in the graves of the Muslims?

A: A person who abandons Salah while denying its obligation is considered a Kafir (disbeliever) according to the Ijma` (consensus of scholars). A person who abandons it out of laziness and neglect is also considered a Kafir according to the most strongest of the two opinions of scholars. Thus, if a person dies while neglecting Salah intentionally, it is impermissible to ask Allah to forgive them, give Sadaqah on their behalf, attend their funeral, or bury them in the graves of the Muslims. The Prophet (peace be upon him) stated, (That which differentiates us from Kafirs and hypocrites is our performance of Salah; a person who abandons it becomes a Kafir.) Narrated by Ahmad and the compilers of Sunan (Hadith compilations classified by jurisprudential themes) with an authentic Isnad (chain of narrators). The Prophet (peace be upon him) also stated, (What makes one a Kafir and a Mushrik (polytheist) is abandoning Salah.) Related by Muslim in his Sahih (authentic) Book of Hadith.

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Permissible acts to be done for the deceased and his family and the impermissible acts and the ruling on visiting the graves.

calling the Adhan (call to prayers) at graves

Fatwa No. 3549

Q: In Bangladesh, we call the Adhan after burying the dead in the grave. Scholars differed on this issue; some of them permit it while others don't. What is the legal ruling concerning this matter?

A: It is not permissible to call the Adhan or Iqamah (call to start the Prayer) at the grave after burying the dead or before burying him. In fact, it is an act of Bid`ah (rejected innovation in religion). It was authentically reported that the Messenger of Allah (peace be upon him) said: (He who innovates things in these affairs of ours for which there is no valid (reason), his innovations are to be rejected.) Agreed upon Hadith narrated on the authority of `Aishah (may Allah be pleased with her).

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People gather on the fortieth day following someone's death

The third question of Fatwa no. 6167

Q 3: In Egypt people hold a ceremony marking the fortieth day of someone's death.

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It is known that this act is a Bid`ah (innovation in religion) dating back to the era of the Pharaohs. The family of the deceased gather or invite Qur'an reciters to make Khatmah (reciting the entire Qur'an). Afterwards, the reciters are invited to a meal and given payment. The same scenario is repeated on the first anniversary of the death. What is the ruling on the recitation and the money paid for it? Does the reward of recitation reach the deceased? Is this payment regarded as ill-gotten gain and what is the ruling on receiving a fee for reciting the Qur'an?

A: Gathering on the fortieth day following someone's death and making Khatmah for him is Bid`ah. It is Haram (prohibited) for those reciters to eat from the meal offered to them and to take a payment for recitation. It is also Haram to hold the ceremony marking the first anniversary of someone's death. Reciting Qur'an is a pure `Ibadah (worship). It is impermissible to take payment for reciting it. However, it is permissible to accept payment for teaching the Qur'an and performing Ruqyah (reciting Qur'an and supplicating over the sick as a cure). According to Ijma` (consensus of scholars), Ibn Taymiyyah stated that taking payment for reciting the Qur'an is Haram. The scholars unanimously agree on this view.

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putting clay next to the deceased

First question from Fatwa No. 5728

Q 1: When a person dies, some people in our village bring three pieces of clay. They make a sphere out of every piece of clay and make it similar in size to a lemon or a little smaller. After washing and shrouding the dead person, when burying him, they put one piece of clay under his right cheek, the second one under his thigh and the third one under his heel. What is the ruling on doing so?

A: We do not know any legal basis from the book of Allah or the authentic Sunnah of the Messenger of Allah (peace be upon him) that proves what you have mentioned of putting pieces of clay under the thigh, heel or right check of a dead person. This is a Bid`ah (innovation in religion).

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placing a book in a grave with the dead person

First question from Fatwa No. 3596

Q 1: We have a strange practice and would like to know the religious ruling on it. Some people place a book they call (Al-Dawshan) or (Al-Qudwah) in the grave with the dead person. The people who wrote these books say that they make the dead person stand firm while answering the angel's questions.

A: It is not permissible to place any books with the dead person believing that they will make them stand firm while answering the two angels' questions. It is Allah (May He be Glorified and Exalted) Alone who makes the servant firm as He says: ﴾Allâh will keep firm those who believe, with the word that stands firm in this world (i.e. they will keep on worshipping Allâh Alone and none else), and in the Hereafter. And Allâh will cause to go astray those who are Zâlimûn (polytheists and wrong-doers), and Allâh does what He wills.﴿ Besides, this is an act of Bid`ah (rejected innovation in religion). It is authentically reported from the Prophet (peace be upon him) that he said: ﴾He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.﴿

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setting up tents beside graves

The first question of Fatwa no. (5848)

Q 1: What is your opinion - may your favor continues - on setting up tents beside the graves, where Qur'an reciters keep reciting the Qur'an for a period of three days, then they grant the reward of the recitation to the deceased person? Is this act permissible and commendable, so that one will be rewarded by offering it? The second part is concerned with the reciters who keep reciting the Qur'an for three days, then take a wage for their recitation. Is this wage permissible? What if they are poor? Please provide us with the answer.

A: It is impermissible for anyone to set up a tent beside the grave where reciters keep reciting Qur'an, granting the reward to the dead, then taking a wage for their action.

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standing up to honor martyrs

Fourth question from Fatwa No. 1674

Q 4: Is it permissible to stand for a minute of silence in memory of martyrs? Whenever specific social events start, people stand for a minute of silence to mourn or honor martyrs.

A: Some people stand in silence for a while in memory of martyrs or dignitaries or as a way of honoring and mourning them. This is considered Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect) and a Bid`ah (innovation in religion), as it was not done during the lifetime of the Prophet (peace be upon him), his Sahabah (Companions), or the Salaf (righteous predecessors). Similarly, these acts do not conform to the proprieties of Tawhid (Monotheism) and sincere glorification of Allah Alone. In fact, some Muslims who lack knowledge of their religion imitate the non-Muslims in this Bid`ah and follow their bad habits and exaggeration in honoring their rulers and celebrities, whether they are alive or dead. The Prophet (peace be upon him) prohibited imitation of the disbelievers. It is an Islamic tradition and religiously known right to pray for the dead Muslims, give Sadaqah (voluntary charity) on their behalf, remember their virtues, and refrain from their evils. There are many other etiquettes religiously stated and encouraged to be followed by Muslims towards their fellow Muslims, alive or dead. However, standing silently in memory of the martyrs or well-known figures is not among them.

Actually, the basic principles of Islam reject such a ritual.

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Carrying the wife of the deceased around his grave

Fatwa no. 12256

Q: If a man dies, a woman who has not menstruated carries his wife around his grave seven times to the right and seven times to the left. Some people advised them not to do this, but they paid no heed to their advice. Please direct us to the right solution. Is that practice permissible or is it an act of Bid`ah (rejected innovation in religion)?

A: This practice is prohibited as it is considered an act of Bid`ah. Introducing innovations in religion is not permissible.

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Placing henna in the grave with the deceased

The sixth question of Fatwa no. 6433

Q 6: Is placing henna in the grave with the deceased part of the Islamic ceremony? If yes, what are its benefits?

A: The Sunnah (whatever is reported from the Prophet) indicates that the deceased should be washed with water and extract from the lote tree, and the shrouds should be scented. As for putting henna in the grave, this has no basis in Shari`ah; it should be abandoned.

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Second question from Fatwa No. 8971

Q 2: What is the ruling on those who attend Mawlid celebrations held at the graves where they eat and drink, and praise the dweller of these graves?

A: Taking the graves as places for eating, drinking and praising the dead is not permissible.

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placing a bunch of flowers upon the grave of an unknown soldier

Fatwa no. (6166)

If a person places a bunch of flowers on the grave of an unknown soldier, does the ruling on this act fall under the same ruling on those who glorify their Awliya' (pious people) and righteous people to the extent of worshipping them?

A: This act is a Bid`ah (innovation in religion) and excessiveness in (honoring) the dead. It resembles the act of those who glorify their righteous people and make memorials for them for fear that this may lead to establising domes over these graves, seeking their blessings and the help of other than Allah (Exalted be He) in the course of time. This should be prohibited so as to block the means to Shirk (Associating others in worship with Allah).

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Hanging Photos of the Deceased in the Home

The fifth question of Fatwa no. 5088

Q 5: Is it Haram (prohibited) to hang a photo in the home of one that died? Is it Haram to collect and keep photos of those who have passed away?

A: It is impermissible to hang pictures of animate objects in the home or elsewhere; whether they are living or dead people, and whether as memories or otherwise, as the Prophet (peace be upon him) said to `Ali (may Allah be pleased with him), (Spare no portrait from being effaced, and leave not a raised grave unleveled.) Narrated by Muslim in his Sahih (authentic) Book of Hadith. It is impermissible for any other purpose.

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the dead hearing what the living say

Third question from Fatwa No. 9216

Q 3: I read in a book titled Al-Hawy Li Al-Fatawy by Imam Al-Siyuty that the dead can hear what the living people say about them and their praise of them.

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They also know the living people who visit them and that the dead pay visits to one another. Is this true and acceptable? Imam Al-Siyuty relied upon some Hadiths and Athar (narrations from the Companions) in the Vol. 2, P.169, 170, 171.

A: The basic ruling is that the dead do not hear the living except in cases supported with a Nas (Islamic text from the Qur'an or the Sunnah). Allah (may He be Exlated) says to His Prophet (peace be upon him): ﴿So verily, you (O Muhammad صلى الله عليه وسلم) cannot make the dead to hear (i.e. the disbelievers)﴾ and He (Exalted be He) says: ﴿but you cannot make hear those who are in graves.﴾

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building Domes on Graves

The fourth question of Fatwa no. 8263

Q 4: Some people consider the green dome that was built on the Prophet's grave in Madinah an evidence for the permissibility of building domes on graves, such as those of righteous people. Is this true,

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or what shall we say to them?

A: It is impermissible to make such a Qiyas (analogy) to conclude the permissibility of building domes on the graves of the dead, whether righteous people or otherwise. Building these domes is a prohibited sin, as it contradicts what was authentically reported from Abu Al-Hayyaj Al-Asady who said that `Ali ibn Abu Talib (may Allah be pleased with him) said to him: ﴾Should I not send you on the same mission as the Messenger of Allah (peace be upon him) sent me? Do not leave a statue without obliterating it, or a high grave without leveling it.﴿ It was also reported from Jabir (may Allah be pleased with him) that he said, ﴾The Prophet (peace be upon him) forbade plastering of graves, sitting on them and building over them.﴿ Both Hadiths were narrated by Muslim in his Sahih (authentic) Book of Hadith. Thus, it is impermissible to use this prohibition as evidence on the permissibility of such deeds, as the saying of the Prophet (peace be upon him) cannot be disobeyed in favor of the sayings or the deeds of anyone else. The Prophet (peace be upon him) is the one to whom Allah conveyed His Message; and thus his orders should be obeyed, as Allah stated, ﴾And whatsoever the Messenger (Muhammad صلى الله عليه وسلم) gives you, take it; and whatsoever he forbids you, abstain (from it).﴿ There are other Ayahs which order us to obey Allah and His Messenger. Building domes over graves is also a means which may lead to Shirk (polytheism), so the means leading to Shirk should be blocked.

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Sleeping on the ground for forty days as mourning over the dead

First question from Fatwa No. 5275

Q 1: What is the Islamic method for holding a Ma'tam (mourning assembly)? In the Sudanese rural areas, most relatives and neighbors of the dead person usually sleep on the ground for forty days in mourning for the dead and do not apply perfume during this period. They slaughter animals as Sadaqah (voluntary charity) a week after his death. Would you please explain to us the legal point of view in this regard?

A: The habit of holding Ma'tam and staying to meet people who come for consolation is a type of Bid`ah (rejected innovation in religion). Neither the Prophet (peace be upon him) nor his Companions (may Allah be pleased with them) used to do this. Likewise, sleeping on the ground and the abstinence of the relatives and neighbors of the dead from applying perfume for forty days is a type of Bid`ah. Similarly, slaughtering animals a week or forty days after the death of someone as a Sadaqah for the dead or serving meat to those who come to offer consolation is Bid`ah.

So, it is Wajib (obligatory) to abandon such habits and reproach those

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who practice them as the Prophet (peace be upon him) said: ⟪He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.⟫ Agreed upon by Al-Bukhari and Muslim.

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The second question of Fatwa no. (10975)

Q2: We live in a village and in this place when a person dies, we enshroud him, then tend to move the body on three stages. This means that we move the dead body to a distance of one meter, then we put it down three times. Also, on our way to the grave, we keep saying: "La ilaha illa Allah (there is no deity but Allah), Muhammad is His Servant and Messenger)". Is this valid or not? Please provide me with the answer. May Allah benefit you, as I live in a village that is very far from the city.

A: What is mentioned regarding moving the dead person to the graves after shrouding them at a distance of one meter, then putting them down on three stages has no basis (in Islam). Likewise is the remembrance that is said out loud when moving the deceased, for all these are acts of Bid`ah (innovation in religion).

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Does the lightness of the coffin where the dead person lies indicate his righteousness?

The second question of Fatwa no. 2873

Q 2: Some sound-minded and trustworthy people told me that they attended the burial procession of a dead Muslim whose coffin was very light to carry and another one whose coffin was very heavy to carry and yet a third one in which the coffin moved over the heads of the attendants. How does Islam view such stories?

A: We can tell of no reason for the alleged lightness or heaviness of coffins in which the dead are laid down. Lightness or heaviness can only be sensed through tangible reasons like the thinness or fatness of the deceased. There is nothing in the Shari`ah of Islam to lend support to the idea that lightness denotes the righteousness of the deceased and that heaviness indicates his unrighteousness. The movement of the coffin is an indication that the person is still alive, in which case he has to be brought to a specialized doctor for examination. People should not hasten to bury him until he is certainly proved to be dead.

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First question from Fatwa No. 7598

Q 1: Is the weight of the deceased while in the coffin heavy or light? Does the coffin push itself forward as if flying as witnessed in our days and before as narrated by the predecessors? what is the proper way to act when following the Funeral Procession? Should it be in silence, or is it permissible to utter the word of Tawhid (monotheism) such as La ilaha illa Allah (there is no deity but Allah) and similar words? What is the opinion of your Eminence concerning making Du`a` (supplicating to Allah) for the dead? Should it be by reciting Qur'an for his soul, or is this an act of Bid`ah (rejected innovation in religion) as mentioned by some jurists? Lastly, what is your opinion regarding setting up Ma'tam (mourning assembly) after the death of a person which are held on Thursdays, on the fortieth day after death and the anniversary of the person's death and other similar matters?

A: The weight of the dead person varies according to the bulk of the body, namely its slimness or fatness, and their age whether old or young. As for what some weak deviated people claim that the deceased becomes sometimes heavy or light on his coffin bearers, this is a false allegation that might be propagated by those bearers. Likewise claiming that at times he pushes the coffin forward or in a special direction that he likes to be buried in or to a certain place to be buried in it is a Karamah (an extraordinary event performed by a pious person) and declaration that the deceased is one of the Awliya' (pious people) of Allah is a false allegation. Nothing of the sort happened to the Sahabah (Companions of the Prophet) in their multitude and the righteous Salaf predecessors during their funerals, and they were more devoted in their worship to Allah

and the most keen on observing His limits.

The Sunnah when following a Funeral Procession is to remain silent and remember death with the intention of performing a duty towards your fellow Muslim. It is an act of Bid`ah (rejected innovation in religion) to read the poem of Burda or the Surah of Al-Insan or Ayahs from it in front of the coffin of the deceased, or to say La ilaha illa Allah (there is no deity but Allah) or similar words.

Giving Sadaqah (voluntary charity) on behalf of the deceased is permissible without fixing a certain time, and visiting the graves for men is an act of Sunnah as well as making Du`a` for the deceased buried in the graves. Furthermore, it is an act of Sunnah for the visitor to say: Peace be upon you, dwellers of these abodes, believers and Muslims. We will, whenever Allah wills, join you. We beg of Allah salvation for us and for you. A Muslim should supplicate for his Muslim brother that Allah may forgive him and have mercy upon him, and to be steadfast when being questioned by the angels after being buried.

As for the food prepared on Thursdays or Fridays and taken to the graves to be distributed to the poor, this is a type of Bid`ah, and so is their gathering on the fortieth day or night to commemorate the dead or the pavilions held on the dead's annual anniversary, all such acts are types of Bid`ah. It has been authentically narrated that the Prophet (peace be upon him) said: (He who innovates things

in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.) We advise you to read the book titled Al-Ibda` Fi Madar Al-Ibtida` by Shaykh `Aly Mahfouzh and

Al-Sunnan Wal Mubtada`at by Shaykh Muhammad `Abdul-Salam Khadir.

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Fatwa No. 4023

Q: In many socialist countries, they put wreaths of flowers on the graves of martyrs or on the graves of unknown soldiers. Some Muslim countries behave in the same manner. What is the ruling on doing so? Is there any evidence that denotes the permissibility or impermissibility of this act?

Many countries, though they are Muslim countries, follow certain habits in inaugurating or ending their national festivals as asking the attendees to stand silently for one minute seeking mercy for martyrs. What is the attitude of Islam towards these habits? Is there any text from the Qur'an or the Sunnah that denotes the permissibility or the impermissibility of these deeds? Does doing so contradict reciting Surah Al-Fatihah for a dead person? Is doing so considered to be an alternative to reciting Surah Al-Fatihah? Is reciting Surah Al-Fatihah a Bid`ah (innovation in religion)?

A: Firstly: Putting flowers on the graves of martyrs or the graves of other persons or

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celebrating what is called the Unknown Soldier is one of the Bid`ahs innovated by some Muslims in countries that have a firm relation with non-Muslim countries. They do so out of admiration of what is done by disbelievers with regard to their dead. This is legally prohibited because it likens Muslims to non-Muslims with regard to what they have innovated in venerating their dead. The Prophet (peace be upon him) warned us against this by his saying: ("I was asked to fight people with the sword closely before the Day of Judgment so that Allah alone is worshipped. My sustenance has been made under the shadow of my spear; and whoever disobeys me shall be humiliated. He who copies any people is one of them.") This was reported by Ahmad, Abu Ya`la and Al-Tabarany in his book called Al-Kabir. The Prophet (peace be upon him) also said: ("You will certainly follow the ways of those before you span by span and cubit by cubit, until even if one of them entered the hole of a lizard, you would enter it too, and even if one of them had conjugal intercourse with his wife on the road, you would do it too.") This Hadith was reported by Al-Hakim who said that this Hadith is authentic according to the conditions stipulated by Muslim. Al-Dhahaby confirmed the saying of Al-Hakim. This Hadith was also reported by Al-Bazzar. Al-Haythamy said that the chain of transmitters of this Hadith are Thiqahs (trustworthy). They were among the Companions, the second generation and the rest of the righteous predecessors (may Allah be pleased with them) high ranking and unknown martyrs.

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It was not authentically reported that they put any flowers or the like upon their graves. Therefore, putting flowers on the graves is a Bid`ah. All goodness is inherent in following the example of the predecessors of this Ummah (nation) and all evils are in the Bid`ahs innovated by those who came later. **Secondly:** Holding celebrations for martyrs and standing silently for one minute out of seeking mercy to the souls of martyrs is a rejected Bid`ah. This was not done by the Prophet (peace be upon him), the rightly guided Caliphs, the rest of the Companions (may Allah be pleased with them) or the Imams of Muslims in the first generations whom the Prophet (peace be upon him) testified to be righteous. It was authentically reported that the Prophet (peace be upon him) said: ("He who

innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.") It was reported in another narration that the Prophet (peace be upon him) said: ("He who did any act for which there is no sanction from our behalf, that is to be rejected.") All goodness lies in following the example of the Prophet (peace be upon him) and his rightly guided Caliphs. One should not follow what is innovated by disbelievers in things that contradict the guidance of Islam. Thirdly: It was not authentically reported that the Messenger of Allah (peace be upon him) recited Surah Al-Fatihah or any other Surah over the souls of Martyrs or other dead people. He is kind and merciful to believers. It was not authentically reported that the Prophet (peace be upon him) recited any part of the Qur'an for the sake of the dead in the graveyard, though he used to visit graves a lot. Moreover, he used to ask Allah to bestow mercy and forgiveness upon the believers.

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He used to supplicate to Allah to bestow His Mercy upon all believers. The Prophet (peace be upon him) sought admonition by visiting the graves.

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The third question of Fatwa no. 3159

Q3: I know that it is not permissible to perform Talqin (reminding a dead person to say "La ilaha illa Allah [there is no god but Allah])", but a large number of scholars in our country permit that. Their argument is based on Al-Shafi`y's Madh-hab (School of Jurisprudence). I referred to the book "Nayl Al-Awtar" by Al-Shawkany who remained silent concerning this point, but said that this is regarded as permissible by some of the Shafi`y Madh-hab. What should we do?

A: The more correct of the two opinions maintained by scholars in this regard is that reciting Talqin after death is not permissible. Rather, it is a Bid`ah (rejected innovation in religion) and every Bid`ah is a misguidance. As for the Hadith, reported by Al-Tabarany in his book "Al-Kabir" on the authority of Sa`id ibn `Abdullah Al-Awdy from Abu Umamah (may Allah be pleased with him) concerning the Talqin of the dead after burying him, it is mentioned by Al-Haythamy in the second and third volume of his book "Majm` Al-Zawa'id", who comments on the Hadith, saying, "It includes some (in the chain of transmission) whom I do not know." Therefore, we cannot cite this Hadith as evidence for the permissibility of Talqin after death. Doing so is a Bid`ah

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according to the Prophet's saying: (Whoever innovates things in our affairs for which there is no valid (reason) is to have it rejected.) The Madh-hab of the four Imams do not constitute a legal ruling. But the Book of Allah, the authentic Sunnah reported from the Prophet (peace be upon him) and Ijma` (consensus) are the only sources that constitute legal proof. There is no authentic narrations about Talqin after death, therefore, it is not permissible to do it.

Encouraging someone, who is dying, to say "La ilaha illa Allah" (there is no deity but Allah) and helping them to repeat it, is permissible. It is permissible to do so in order that the last words the dying person utters would be La ilaha illa Allah. The Prophet (peace be upon him) said that to his uncle, Abu Talib. However, his uncle refused to say it. The last words that were said by Abu Talib is: "I am believing in the religion of `Abdul-Muttalib."

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First, second, and third questions from Fatwa No. 1496

Q 1: is it permissible to stand at the grave after burial to supplicate to Allah and seek His forgiveness for the dead person?

A: Yes, it is not only permissible but also Mustahab (desirable) to do so. It has been reported by

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Abu Dawud, and Al-Hakim who authenticated it on the authority of `Uthman (may Allah be pleased with him) that (Whenever the Messenger of Allah (peace be upon him) finished burying the dead, he used to stay at his grave and say: 'Seek forgiveness for your brother and beg steadfastness for him, for he will be questioned now.') .

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Q 2: How can we seek forgiveness and supplicate to Allah for the deceased after burying him?

A: No Hadith was reported regarding seeking forgiveness and supplicating to Allah for the dead after burying him as far as we know. It is in fact a general command to seek forgiveness and to supplicate to Allah for him to stand firm. So it is enough to obey the order in any way such as to say: "O Allah, forgive him and make him firm on the truth" and likewise.

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Q 3: Is it correct that we make Ma`ruf (that which is judged as good, beneficial, or fitting by Islamic law and Muslims of sound intellect) for the family of the deceased by offering them money, clothing and other things instead of preparing the food which is referred to in the Hadith of the Prophet (peace be upon him) where he said: ﴾Prepare food for the family of Ja'far.﴿ **or not?**

A: Providing the family of the deceased with money and clothing can not replace preparing food for them. The Prophet (peace be upon him) said at the end of the Hadith: ﴾for they are too busy.﴿ The explicit meaning of this report is that the Prophet (peace be upon him) ordered that food be prepared for the family of the deceased as the death of a loved one makes them too busy to prepare it for themselves. However, giving money and clothing to needy people in the family of the deceased is a good act and is generally encouraged by Shari`ah (Islamic law) when the family of the deceased and others are in need of it.

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Accordingly, whoever does so with the intention of relieving someone's distress makes it a good deed.

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bid`ah related to the deceased

Fatwa No. 9774

Q: Nowadays, there are a group of people who transfer the deceased months or years after burying them claiming that this deceased person came to one of them in a dream and said: "You have to build a shrine for me". While transferring the deceased to his grave, some of them claim that the deceased is the one who directs them while they carry him to the places he wants to visit before his last burial and claim that the deceased flies in addition to other superstitions. It should be noted that this deceased may not have offered Salah (Prayer) or observed Sawm (Fasting) during his entire life or even performed any of the Islamic obligatory acts. I wish your Eminence would explain the legal ruling in this regard.

A: Firstly: Transferring the deceased from one grave to another one is not permissible

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unless there is a necessity to do so according to the Islamic Shari`ah. Secondly: As for the vision or dream, it is not true but they are Satanic insinuations as well as the claim that the deceased directs them to special places to visit before his last burial in the grave which he determines and that he flies to these places, is a mere false allegation. It is against Allah's Way (of conducting affairs) and not a Karamah (an extraordinary event performed by a pious person) but a manipulation done by those who carry the deceased. Thirdly: Building domes over the graves is a Munkar (disapproved by Islamic Shari`ah) act which should not be done and what has been built, should be destroyed because the Prophet (peace be upon him) forbade building anything on graves and ordered us to level the high graves.

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The second question of Fatwa no. 9294

Q 2: if a man dies should his wife undergo a state of mourning by doing the following:

First,

she wears a black dress and a bandage of white lawn as well as a white belt around her head.

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Second,

she does not take a bath, wash her clothes or comb her hair until one week has passed, and she wears the same clothes for the entire week. When she bathes and washes her clothes, she should bury the water that she used, as we are Bedouins and we do not have bathrooms. This habit has been our custom since the time of our ancestors. We have no idea whether these customs are valid or not. Please your Eminence, could you clarify the legitimate way of mourning. Please advise.

A: First, the way this woman mourns her husband, such as wearing a white bandage, a white belt on her head and a black dress, abstaining from bathing for a week, digging a hole for the water that was used in bathing and washing her clothes, and wearing the same clothes for a whole week, is all groundless and illegitimate. Such practices should not be done.

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Ruling on visiting graves

The twelfth question of Fatwa no. 3323

Q 12: What is the ruling on visiting graves?

A: According to the most appropriate of the two views held by scholars, it is an act of the Sunnah (commendable act) for men only to visit graves. The purpose of visiting them is to let people learn a lesson and be reminded of death and the Hereafter and pray to Allah (Exalted be He) to grant mercy and forgiveness to the deceased. This was the regular practice which the Prophet (peace be upon him) taught to his Sahabah (Companions, may Allah be pleased with them). Visiting the graves is not meant to seek help or blessings from the dead or to beseech them for Shafa'ah (intercession). The Prophet (peace be upon him) is reported to have said: (Visit the graves for they remind you of the Hereafter.) Narrated by Muslim in his Sahih (authentic book of Hadith). The Prophet (peace be upon him) also taught his Sahabah to say the following Du`a' when visiting graves: (May you be safe, O inmates of the abodes of the believers and the Muslims, and if Allah pleases, we shall follow you. We pray to Allah for well-being for ourselves and for you).) In another narration it is stated: (May Allah have mercy on those who have gone ahead of us and those who will come later on.)

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Is Taharah a condition for visiting graves?

The second question of Fatwa no. 6187

Q 2: What is the ruling on a person who visits Al-Masjid Al-Nabawy (the Prophet's Mosque in Madinah) in a state of Wudu' (ablution) and visits Al-Baqi' and the rest of the sites without Wudu'. Is there any blame on him for that?

A: There is no blame on him; visiting Al-Baqi' or the Martyrs of Uhud does not require that the visitor has Wudu'. It is Mustahab (desirable) to visit graves, but Taharah (ritual purification) is not a condition. This is due to the general meaning of the Hadith of the Prophet (peace be upon him): (Visit the graves for they remind you of the Hereafter.) (Related by Muslim in his Sahih [Authentic Hadith Book])

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women Visiting Graves

Fatwa no. 1981

Q: I heard that it is impermissible for women to visit the grave of the Prophet (peace be upon him). I told my wife and my mother, but they

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were not convinced. Please advise as soon as possible.

A: Visiting graves without traveling with the specific intention of doing so is a Sunnah (supererogatory act of worship following the example of the Prophet) for men, including the grave of the Prophet (peace be upon him). An Islamically approved visit entails asking Allah to forgive the deceased and have mercy upon them. It serves as an admonition and a reminder of death and what follows thereafter. When visiting the graves of Muslims, one should supplicate, (May peace be upon you, O inmates of the abodes of the believers and the Muslims! If Allah wills, we shall follow you. We pray to Allah for the well-being of ourselves and you.) When one visits the grave of the Prophet (peace be upon him) and his two Companions, Abu Bakr and `Umar (may Allah be pleased with them), one should invoke Allah's blessings upon the Prophet (peace be upon him) and ask Allah to be pleased with Abu Bakr and `Umar (may Allah be pleased with them).

As for women, it is impermissible for them to visit graves in general, including the grave of the Prophet (peace be upon him). It is not a Sunnah for them, rather they are not allowed to visit neither the grave of the Prophet (peace be upon him) nor any other graves. It was narrated by Abu Dawud, Al-Tirmidhi and Ibn Majah, from Ibn `Abbas (may Allah be pleased with him) that (the Propehet (peace be upon him) cursed women who visit graves, those who build Masjids (mosques) over them and placing lamps (there).) It was also narrated by Al-Tirmidhi from Abu Hurayrah (may Allah be pleased with him) that (the Messenger of Allah (peace be upon him) cursed women who visit graves.) Al-Tirmidh said that this Hadith is Hasan (good) and Sahih (authentic).

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It was also authentically reported that the Prophet (peace be upon him) stated, (I had forbidden you to visit graves , but now you may visit them.) Only men are addressed here, not women, as there are other Hadiths where women who visit the graves were cursed, which were reported from three of the Sahabah (Companions of the Prophet, may Allah be pleased with them). What was reported from `Aishah (may Allah be pleased with her) about visiting the graves is Mansukh (abrogated) by the mentioned Sahih Hadiths.

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First, second, third, fourth, and fifth questions from Fatwa No. 2927

Q 1: What is the ruling on visiting the graves for both men and women, and women's weeping at the graves, slapping cheeks and tearing clothes out of grief?

A: First: It is an act of Sunnah (a commendable act) for men to visit the graves because the Prophet (peace be upon him), the rightly guided caliphs, the Companions (may Allah be pleased with them), and the Muslim Imams without exception used to do so. Hence, there is Ijma` (consensus of scholars) that it is a Sunnah. Besides, the Prophet (peace be upon him) said: ﴾I forbade you to visit graves, but now you may visit them...﴿

As for women, it is not permissible for them to visit the graves according to the soundest of the scholars' two opinions in this regard. Ibn `Abbas (may Allah be pleased with them) said: ﴾The Messenger of Allah (peace be upon him) cursed the women who visit graves and those who build mosques and place lights upon them.﴿ Narrated by Ashab-ul-Sunan (authors of Hadith compilations classified by jurisprudential themes) and it is supported by the Hadith narrated by Abu Hurayrah and Hassan ibn Thabit (may Allah be pleased with them). There is no contradiction between it and the first Hadith giving permission to visit the graves. It addresses women in particular while the Hadith giving permission is general and applies to both men and women. So, the Hadith cursing the women who visit the graves excludes them from the permission of visiting the graves.

Second: Women crying loudly and wailing is one of the major sins whether at the graves or not. Likewise, slapping cheeks and tearing clothes out of grief is a major sin according to the Hadith which was authentically narrated from the Prophet (peace be upon him) that he said: ﴾If the wailing woman does not repent before she dies, she will be made to stand on the Day of Resurrection wearing a garment of pitch and a chemise of mange.﴿ Narrated by Muslim. It is also authentically reported from the Prophet (peace be upon him) that he said: ﴾He who slaps his cheeks, tears his clothes

and follows the ways and traditions of the Days of Ignorance is not one of us.﴿ Narrated by Al-Bukhari and Muslim.

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Q 2: What is the ruling on building over graves, decorating them with marble and writing an Ayah (Qur'anic verse) or more on them?

A 2: It is impermissible to build Masjids (Mosques) or establish domes over graves, because of what was narrated by `Aishah (may Allah be pleased with her) that the Prophet (peace be upon) said: ﴾Allah has cursed the Jews and the Christians for making the graves of their prophets as Masjids.﴿ Agreed upon its authenticity (by Al-Bukhari and Muslim). It was also reported in Sahih (Authentic book of Hadith) Muslim on the authority of Jundub Ibn `Abdullah (may Allah be pleased with him) that he said: " The Messenger of Allah (peace be upon him) said: ﴾Beware of those who preceded you and used to take the graves of their prophets and righteous men as places of worship, for you must not take graves as Masjids.﴿ This practice includes excessiveness in [honoring] the deceased. Accordingly, it is impermissible to build over them except with something that denotes the existence of graves in the area. Doing so would help people avoid walking on them or using them as places for urination or defecation. It is authentically reported that `Aly (may Allah be pleased with him) told Abu Al-Hayyaj Al-Asady : ﴾Should I not send you on the same mission that Allah's Messenger (peace be upon him) sent me on? Do not leave an image without obliterating it, or a high grave without levelling it.﴿ Related by Muslim .

It is also prohibited to decorate graves with marble because of what is authentically reported in Sahih

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Muslim on the authority of Jabir Ibn `Abdullah (may Allah be pleased with both of them), ﴾That the Messenger of Allah (peace be upon him) forbade plastering the graves, and sitting or building over them.﴿ This is because excessiveness in glorifying the deceased can be a means to Shirk (Associating others in worship beside Allah). It is also impermissible to write an Ayah or more of the Qur'an on the walls of the graves, for this degrades and violates the sanctity of the Qur'an, and leads to using it for another purpose than that for which it was revealed; which is for worshiping Allah (Exalted be He) by reciting it, interpreting it and contemplating its meaning, deriving rulings from it and resorting to it in arbitration. It is also absolutely prohibited to write anything on the graves, whether the Qur'an or any other writing, because of the general prohibition of the Prophet (peace be upon him) to do so. Related by Al-Tirmidhy and others with a Sahih (authentic) Isnad (chain of Narrators).

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Q 3: What is the ruling if the relatives of the deceased stay for a number of days or weeks beside his or her grave? What is the ruling on men and women who habitually visit graves on Thursdays? What is the ruling on women who weep or slap their cheeks while mourning for the dead?

A: Staying for a number of days or weeks beside the grave of a dead person because of being attached to them or believing that they can sense the presence of their relatives is known to have neither been the regular practice of the Prophet (peace be upon him) nor of the Rightly-Guided Caliphs and Sahabah (Companions of the Prophet, may Allah be pleased with them). Moreover, the scholars of the Salaf (righteous predecessors) are not known to have practiced this custom. Nothing is better than following their line of conduct. Staying by the graves is an act of Bid`ah (rejected innovation in religion) which must be avoided in compliance to the example of the Messenger of Allah (peace be upon him), the Rightly-Guided Caliphs and Sahabah and whoever follows in their footsteps

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in righteousness. Singling out Thursday for visiting graves also constitutes an act of Bid`ah. It is authentically reported that the Prophet (peace be upon him) said: (He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.) However, there is nothing wrong if a person habitually visits the graves on Thursday if they find it difficult to visit them on other days, as long as they do not single it out as being a virtuous day. Men are permitted to visit graves at any time.

Based on the answer to the first question, it is a major sin for women to weep or slap their cheeks when visiting graves.

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Q 4: What is the ruling on slaughtering one or more animal in the house of a deceased person forty days after his/her death and inviting people to eat this meat. People who do this claim that they do so to draw nearer to Allah (Exalted be He) and seeking His forgiveness and mercy for the deceased. This practice is called the Mercy or the Deceased's Supper. What is the ruling on this practice?

A: The practice you mentioned of slaughtering an animal and inviting people to eat it forty days after someone's death for the purpose of drawing nearer to Allah (Exalted be He) whose mercy and forgiveness is hoped to encompass the deceased, is a rejected Bid`ah (innovation in religion). The Prophet (peace be upon him), the Rightly-Guided Caliphs, the Sahabah (the Prophet's companions) (may Allah be pleased with them) and the prominent scholars never did this. Thus, it is impermissible according to the Ijma` (consensus of scholars). It was authentically narrated that the Prophet (peace be upon him) said: ﴾Whoever does an action which is not in accordance with this matter of ours [Islam], will have it rejected.﴿

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He (peace be upon him) also said: ﴾Whoever innovates something in this matter of ours [Islam] that is not part of it, will have it rejected.﴿ There is nothing wrong with giving Sadaqah (voluntary charity) on behalf of the dead whether it is in cash or in-kind but without specifying a time for it.

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Q 5: What is the ruling on women visiting graves on thursdays and distributing bread, dates, and meat there?

A: First, giving Sadaqah (voluntary charity) on behalf of the deceased is Mashru` (Islamically acceptable) because some Hadith are authentically reported to that effect. Nevertheless, distributing such Sadaqah by the graves is not permissible because this was not practiced either during the era of the Prophet (peace be upon him) or during the era of the Sahabah (Companions of the Prophet, may Allah be pleased with them). Thus, doing so is a detestable Bid`ah (innovation in religion) for it is authentically reported that the Prophet (peace be upon him) said: (He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.) Moreover, allocating a specific day for giving Sadaqah is also a Bid`ah.

Second, it is not permissible for women to visit graves on a Thursday or any other day because the Prophet (peace be upon him) cursed females who visit graves.

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Sixth question from Fatwa No. 6167

Q 6: Women visit graves on occasions and festivals. It is known that it is Makruh (reprehensible) for women to visit graves due to their little patience, grief,

and display of their beauty. So, they hire a shaykh who earns his living through reciting Qur'an at graves on every occasion and festival. This shaykh recites short Surahs at the graves in return for fruits, bread, and money. Does the reward of recitation reach the deceased? What is the ruling on the things which the shaykh receives?

A: `Eid-ul-Fitr (the Festival of Breaking the Fast), Eid-ul-Adha (the Festival of the Sacrifice), Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah), and Fridays are the Islamic festivals. Days other than these are not considered Shar`i (Islamically lawful). It is Bid`ah (innovation in religion) for men and women to visit graves during festivals. It is forbidden for women to visit graves whether during festivals or not. Moreover, it is a Bid`ah (innovation in religion) to distribute food and fruit at the graves. On the other hand, it is not permissible for the reciters to recite the Qur'an or to take wages in return for their recitation. The deceased is not availed of these acts, as they are detestable and impermissible acts.

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making Du`a' when visiting the graves

Fatwa No. 5924

Would you please tell me about the Du`a` (Supplication) I should recite when supplicating Allah for the dead, such as my father, relatives and all Muslims. May Allah guide you to all what is best! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: It has been authentically narrated on the authority of Buraydah ibn Al-Husayb (may Allah be pleased with him) that he said: ﴾Allah's Messenger (peace be upon him) used to teach them (the Companions) whenever they came out to visit the graveyard to say: As-salamu `alaikum ahlad-diyyari minal-Mu'minina wal-Muslimina, wa inna in sha' Allahu bikum lahiqun. As'alul-laha lana wa-lakumul- `afiyyah (Peace be upon you, the inhabitants of the city, among the believers, and Muslims, and God willing we shall join you. I beg of Allah peace for us and for you).﴿ Related by Muslim and others. It was authentically reported on the authority of `Aishah (may Allah be pleased with her) that she said: ﴾When it was her night for the Messenger of Allah (peace be upon him) to stay with her, he would go out during the last part of the night to (the cemetery of) Al-Baqi` and say: Peace be upon you, dwellings of the believing people. There has come to you that which you were promised, and if Allah wills we will follow you soon. O Allah, forgive the people of Baqi`al-Gharqad.﴿ Related by Muslim too. Furthermore, it has been narrated on the authority of `Aishah (may Allah be pleased with her) that the Prophet (peace be upon him) used to say in his Du`a` ﴾May Allah have mercy on those who have gone ahead of us and those who come later on.﴿

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Fourth question from Fatwa No. 1732

Q 4: is it permissible for us to stand or sit at the grave to supplicate to Allah for the deceased?

A: The permissible visit to graves is to go there to take heed, to consider and to remember death not to attain blessings from righteous people who are buried there. When a person goes to visit the graves, he should greet those who are buried there saying: (Peace be upon you, the inhabitants of the city, among the believers, and Muslims, and God willing we shall join you. I beg of Allah peace for us and for you.) If he wishes, he may supplicate to Allah for the dead with other Ma'thur (supplication based on transmitted reports) Du`a' (supplication). However, one should not seek help from the dead or supplicate to them to reveal harm or to bring about a benefit. Du`a' is an act of worship and it must be for Allah Alone. There is no harm in standing at the grave or sitting in order to supplicate to Allah for the dead but not to seek blessing. It is permissible to stand at the grave after burying the deceased to ask Allah to keep him firm on the truth and seek forgiveness for him. It was authentically reported from the Prophet (peace be upon him) that when he buried the deceased, he used to stand at his grave and say: (Seek forgiveness for your brother and ask Allah to make him stand firm for he

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is being questioned now.)

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Visiting graves on Fridays

The first question of Fatwa no. 7777

Q 1: I have an inquiry regarding a Hadith ascribed to Abu Hurayrah (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: (Whoever visits the graves of their parents or the grave of any of them every Friday will have their sins forgiven and will be recorded as being dutiful to their parents.) **Please tell me if there is a specific Du'a' (supplication) to be said by the graves of parents. Should such a visit be paid before Jumu'ah (Friday) Prayer or after it, and is there another special preferred time for doing this on Fridays?**

A: First, the Hadith that is mentioned in the question is very Da'if (weak) and can not be used as proof due to its Da'f (weakness) and non-authenticity.

Second, visiting graves is Mashru' (Islamically permissible) at any time and there is no evidence that allocates Fridays or any other days for doing so. However, it is related by Imam Muslim (may Allah be merciful to him) on the authority of Sulayman ibn Buraydah from his father (may Allah be pleased with them both)

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that the latter said: (The Messenger of Allah (peace be upon him) used to teach them (the Companions) whenever they came out to visit the graveyard to say: 'Al-Salamu `ala ahl-al-diyari min-al-mu'minina wa-al-muslimina, wa inna insha'a Allahu bikum lahiqun. As'al-ul-Laha lana wa-lakum-ul- `afiyah [Peace be upon the inmates of the abodes of the believers and the Muslims, and Allah willing we shall join you. I pray to Allah for well-being for ourselves and for you].') Also, it is narrated on the authority of Ibn 'Abbas (may Allah be pleased with them both) that the Prophet (peace be upon him) said: (The Messenger of Allah (peace be upon him) passed by the graves at Al-Madinah. He turned his face towards them and said: 'Peace be upon you, O inmates of the graves. May Allah forgive us and you. You have preceded us, and we are to follow.') (Related by Al-Tirmidhy who classed it as Hadith Hasan [good Hadith])

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Visiting graves on certain days of the year

The third question of Fatwa no. 8818

Q 3: Some people are accustomed to visiting graves on the first and last day of Rajab. Is this permissible?

A: It is not permissible to single out a certain day of the year like Friday or the first day of Rajab or any other day for visiting graves as there is no evidence to support this. It is, however, permissible to visit graves on any day possible, without specifying a certain day.

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Permissibility to visit graves is based on the Hadith in which the Prophet (peace be upon him) says: ﴾Visit the graves for they remind you of the Hereafter.﴿

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visiting graves and setting out on journeys for them

Fatwa No. 8084

Q: I read in the book, Al-Fiqh `Ala Al-Mudhahib Al-Arba`ah, by `Abdul-Rahman Al-Juzairy the following: Visiting the graves is a commendable act for a person to see an example and to be reminded of the Hereafter. It is highly stressed on Fridays, a day before or after Fridays according to Al-Hanafiyyah and Al-Malikiyyah Madh-hab (School of Jurisprudence). However, Al-Hanabilah and Al-Shafi`iyyah had a different view saying: There is no difference if the grave is far or near. Al-Hanabilah also had another view saying: It is commendable to travel to visit graves especially those of the pious people. As for visiting the grave of the Messenger (peace be upon him), it is one of the greatest good deeds. This is mentioned in P. 540 Vol. 1. My questions now are:

1-

What is the legal evidence on specifying certain days for visiting the graves?

2-

What is the explanation of saying: It is commendable to travel to visit the graves especially those of the pious...? Some people may take this as evidence for invoking

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the dead buried in the graves. Is there an origin for this in the Sunnah?

3-

What is the meaning of his saying: There is no difference between visiting the far graves and the near ones...? This saying seems to be an evidence for traveling to visit graves.

A: First: Visiting the graves is permissible to take heed, be reminded of the Hereafter, beseech Allah's Forgiveness and Mercy and ask Him for safety. However, this should not be done to invoke the dead and ask them to bring benefit or ward off harm as this is an act of Shirk (associating others in worship with Allah). There is no difference between visiting the graves of pious people or any Muslims.

Second: There is no difference between visiting the graves on Fridays or any other day of the week because it is not authentically reported from the Prophet (peace be upon him) that he specified a certain day for visiting the graves. Hence, specifying a day for visiting the graves is an act of Bid`ah (rejected innovation in religion). It is authentically reported that the Prophet (peace be upon him) said: ﴿He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.﴾ Third: It is not permissible to travel to visit a grave, whether this grave is a prophet or a waliy (a pious person) or any other person. The Prophet (peace be upon him) forbade this when he said: ﴿Do not undertake journey but to three Masjids (mosques): Al-Masjid Al-Haram this Masjid of mine, the Aqsa Masjid (Bait Al-Maqdis).﴾ Narrated by Ahmad, Al-Bukhari, Muslim, Abu Dawud, Al-Nasa`iy, and Ibn Majah. Consequently, it is not permissible to set out on a journey to visit the grave of our Prophet Muhammad (peace be upon him).

But a person may travel to offer Prayer in the Masjid (mosque) of the Prophet (peace be upon him). However, whoever visits the Prophet's Masjid should greet him and his two Companions (Abu Bakr and `Umar (may Allah be pleased with them)). In addition, he should visit the cemetery of Al-Baqi` and the graves of the martyrs of the Battle of Uhud and greet them and invoke Allah for them. The visitor should also visit the Masjid of Qiba' and offer Salah (Prayer) there as the Prophet (peace be upon him) said: ﴾He who purifies himself at his house then goes to the Masjid of Qiba' only to offer Salah in it will get a reward equal to that of performing `Umrah.﴿ Also because he (peace be upon him) used to visit the Masjid of Qiba' on Saturdays and offer Salah there. Moreover, one should travel to offer Salah in Al-Masjid Al-Haram and to perform Hajj (Pilgrimage) and `Umrah (Lesser Pilgrimage) there. Likewise, traveling to Al-Masjid Al-Aqsa and offering Salah there is a Mandub (commendable) act.

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Visiting the Masjid of the Prophet and greeting the Prophet (peace be upon him) and his companions

The first question of Fatwa no 8831

Q 1: I wish to visit Masjid Al-Rasul (Prophet's Mosque) (peace be upon him) in Al-Madinah Al-Munawwarah, how should I greet the Messenger of Allah? Is it obligatory to visit his Masjid?

A: Visiting the Masjid of Allah's Messenger (peace be upon him) is not obligatory but if you wish to go on a journey to Al-Madinah Al-Munawwarah in order to offer Salah (Prayer) in the Masjid of the Prophet, this is desirable and it is Sunnah (supererogatory act of worship). When you enter the Masjid begin with offering Salah. Then, go to the Prophet's grave and say, "May Allah's Peace be upon you, O Prophet, and His Mercy and Blessings! May Allah send mercy upon you and upon your family and companions!" You are required then to supplicate to Allah often to send prayers on the Prophet (peace be upon him) according to what is authentically reported from him, (Invoke blessings on me, for your blessings reach me wherever you are.) Then, greet Abu Bakr and `Umar and supplicate to Allah to be pleased with them. You should not wipe yourself with the grave or say supplications by it. Leave the grave and supplicate to Allah wherever you are whether in the Masjid or elsewhere. It is authentically reported that the Prophet (peace be upon him) said: (No journey should be made except to three Masjids (mosques): Al-Masjid Al-Haram (the Sacred Mosque in Makkah), this Masjid of mine (the Prophet's Mosque in Madinah), and Al-Masjid Al-Aqsa (the Aqsa Mosque in Jerusalem).") Related by Imam Ahmad,

Al-Bukhari, Muslim, Abu Dawud and Al-Nasa'y.

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sanctity of the dead and of the graves

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First, third and fourth questions from Fatwa No. 2214

Q 1: Is it authentically reported that the Prophet (peace be upon him) said: Whoever breaks the bone of a dead person is like breaking the bone of a living Muslim?

A: This Hadith is an authentic one that was narrated as Marfu` (a Hadith narrated from the Prophet with a connected or disconnected chain of narration) and Mawquf (a Hadith narrated from a Companion of the Prophet). As for the Marfu` Hadith, it is reported by `Abdul-Razzaq in his Musanaf, Abu Dawud and Ibn Majah in their Sunan, and by Ibn Hiban in his Sahih with their Sanads (chain of narrators) on the authority of `Amrah bint `Abdul-Rahman from `Aishah (may Allah be pleased with her) that she reported that the Prophet (peace be upon him) said: ﴾Breaking a dead man's bone is like breaking it when he is alive.﴿

It was listed by `Abdul-Razzaq under the title: Chapter on breaking the bones of the dead, then he mentioned the Hadith with his sanad. It was also listed by Abu Dawud under the title: Chapter on finding the bones in place of digging, then he mentioned the Hadith with his Sanad. This Hadith was also listed by Ibn Majah under the title: Chapter on forbidding breaking the bones of the dead, then he mentioned the Hadith with his Sanad. Al-Hafizh Al-Haythamy also listed it in Mawarid Al-Zam`an Ila Zawa`id Ibn Hibban under the title: Chapter on whoever caused harm to a dead person, then he mentioned the Hadith with his Sanad. As for the Mawquf narration, it was mentioned by Imam Malik in

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Al-Muwatta` with his Sanad on the authority of `Aishah (may Allah be pleased with her) that she said: ﴾Breaking the bones of a Muslim when he is dead is like breaking them when he is alive﴿ That is equal in the sin committed. The same narration was mentioned by Imam Al-Shafi`y in his book titled Al-`Um under the title: Chapter on what is after burial, on the authority of Imam Malik that he heard that `Aishah (may Allah be pleased with her) said: ﴾Breaking the bones of a Muslim when he is dead is like breaking it when he is alive.﴿

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Q 3: are the bodies of dead Muslims sanctified? are these bodies inviolable and should not be violated?

A: It is authentically narrated from the Prophet (peace be upon him) in the two Sahih (authentic) Books of Hadith (Al-Bukhari and Muslim) and other books of Hadith that he (peace be upon him) said: (Your blood, your property, and your honor are as sacred to one another like the sanctity of this day of yours in this month of yours in this town of yours.) This was said by the Prophet (peace be upon him) when he gave a khutbah (sermon) on the Day of Sacrifice (10th of Dhul-Hijjah) during the Farewell Hajj. The property and honor of Muslims are included in the generality of this Hadith. Furthermore, it was clarified while answering the first question that the sanctity of the bodies of dead Muslims is the same as their sanctity when they were alive.

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Q 4: I buried some children whose parents are Muslims in a cemetery and the burial of the last one was not more than five years ago. Is it permissible now for myself or anybody else to take their remnants out bearing in mind that the parents of some of those children are still alive while some of them have already died.

A: The original ruling is that exhumation of graves is not permissible. This is because once the deceased is put in his grave, he settles at this specific place and holds it. Thus, graves are confined to their dwellers and no body is allowed to act freely or deal conclusively with them. Also, exhumation of graves may lead to breaking the bones of the dead person and humiliating them. We have formerly explained the prohibition of this while answering the first question. The exhumation of graves is only permissible under a necessity or an Islamic preponderant Maslahah (public interest) according to the discretion of scholars.

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Fatwa no. 11228

Q: We have a cemetery in the neighbourhood of Al-Qabil where about

six or seven acacia trees were planted. The falling spines of these trees are scattered in great amounts all around the cemetery. We want to cut down these trees. We can only get rid of the scattered spines by burning, so please direct me to the right course of action concerning what should be done with these trees. May Allah protect you.

A: There is nothing wrong if these trees are cut down for the sake of removing harm. The removal process should be done by using cutting tools under the supervision of the municipality. Also, the spines should be removed in a safe way that would cause no harm to the graves.

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Second question from Fatwa No. 10510

Q 2: Is taking off one's shoes in the graveyard an act of Sunnah or Bid`ah (rejected innovation in religion)?

A: Whoever enters the graveyard should take off his shoes, because of the report narrated by Bashir ibn Al-Khasasiyyah who said: (While I was walking with the Messenger of Allah (peace be upon him), we saw a man walking in the graveyard with his shoes on. He said: O man, wearing the shoes! Take off your shoes. So the man looked (round), When he recognized the Prophet of Allah (peace be upon him), he took them off and threw them away.)

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Related by Abu Dawud. Imam Ahmad said: The Sanad of the Hadith Bashir ibn Al-Khasasiyyah is good and I would follow it unless there is a reason not to. And the reason referred to by Ahmad (may Allah have mercy on him) is things such as thorns or the ground being too hot to walk on and the like, in which case there is nothing wrong with wearing shoes when walking between the graves, so as to avoid harming oneself.

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Showing respect for the deceased

Fatwa no. 13349

Q: Some preachers mentioned a Hadith meaning that the sanctity of a dead Muslim is like the sanctity of a living one. Does this mean that we should show respect toward the grave where the deceased is buried? In other words, should we not walk or build on it? Or does it mean that a Muslim is not permitted to backbite a Muslim after his/her death, for example accusing him/her of committing Zina (premarital sexual intercourse and/or adultery) or obscene acts and the like? Will the person be sinful if he speaks badly about a dead Muslim?

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If I did commit this sin, what do you advise me to do to avoid repeating this act? May Allah grant you success!

A: First, it was compiled by Imam Ahmad in his Musnad and Abu Dawud in his Sunnan narrated on the authority of `Aishah (may Allah be pleased with her) that the Prophet (peace be upon him) said: (Breaking a dead man's bone is like breaking it when he is alive.) This signifies the sanctity of the dead and not interfering with him/her by harming or debasing their graves.

Second, it is impermissible to curse a dead Muslim, as the Prophet (peace be upon him) said: (Do not abuse the dead, because they have attained that which they had forwarded (their deeds, good or bad).) You should perform Tawbah (repentance to Allah) and ask Allah's forgiveness for what you have done.

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Sanctity of cemeteries

The fourth question of Fatwa no. 2174

Q 4: In our village, there is a very old cemetery located fifty meters away from my house. Some people pass through it with their animals. Is it permissible to move the remains contained at this cemetery to another one that is far away or should we enclose it with a fence?

A: If the reality is as you mentioned, it is prohibited that people pass through the cemetery with their animals as in doing so they will be encroaching upon the sanctity of the tombs. The villagers have to enclose it with a fence so as to preserve the sanctity of the dead. They may inform the concerned officials in the government who, in turn, should undertake the building of the fence.

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Makers of marble graves

Fourth question from Fatwa No. 4048

Q 4: What is the ruling on a person who makes graves of marble and other

materials, is his earning lawful or not? Is it permissible for me to take a loan from him?

A: It has been authentically narrated from the Prophet (peace be upon him) that he said: (May Allah curse the Jews and Christians, for they have taken the graves of their Prophets as places of worship.) Agreed upon by Al-Bukhari and Muslim. It was also authentically reported that he (peace be upon him) said: (Beware of those who preceded you and used to take the graves of their prophets and righteous men as places of worship, but you must not take graves as Masjids (Mosques) I forbid you to do that.) Related by Muslim in his Sahih (authentic) Book of Hadith. It is also narrated in Sahih Muslim on the authority of Jabir ibn `Abdullah (may Allah be pleased with him) that he said: (The Messenger of Allah (peace be upon him) forbade plastering graves, sitting on them, and building over them.) Al-Tirmidhy added with a sound Sanad (chain of narration): (and inscribing on them.) It is not permissible to take a loan from those working in building the graves, plastering it and the like unless they have another lawful way of earning.

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establishing buildings in cemeteries

Seventh question of Fatwa No. 820

Q 7: There is a Faqir (poor) man who neither has a home to live in nor any land to build a house. At the same time, there is an old cemetery wherein the last burial took place over 100 years ago. Is it permissible for that man to build a house for himself in this cemetery?

A: The land that is used for burying the dead is a Waqf (endowment) confined to those who were buried there. No one, whether rich or poor, is allowed either to use it for building a house for themselves or to dispose of it for any private purpose. This even applies if the land is unused. The earth of Allah (Exalted be He) is spacious and there are many ways to obtain that which is pure and Halal (lawful). Thus, Muslims should follow the ways of Halal which are made easy for them. There are so many of these ways! Then, let Muslims avoid all that Allah (Exalted be He) made Haram (prohibited) for He says: ﴿And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴾ ﴿And He will provide him from (sources) he never could imagine.﴾

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Offering Condolences to the Bereaved Family

(Part No. 9; Page No. 130)

going to Offer Condolences to the Bereaved Family

The fourth question of Fatwa no. 3923

Q 4: If one of my relatives dies, is it permissible for me to visit their family to offer condolences to them or not?

A: It is permissible for you to visit the male relatives and your female Mahrams (unmarriageable relatives) of the bereaved family to offer condolences to them.

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The Ruling on Condolences

The third question of Fatwa no. 5112

Q 3: what is the ruling on offering condolences to those who have lost a loved one? what is the evidence on the obligation of offering condolences on the same day? Is it permissible to slaughter animals brought by the people on that day? Please clarify in detail how condolences should be offered.

A: Offering condolences is a Sunnah (reported from the Prophet). It was narrated that the Prophet (peace be upon him) urged people to do so

in his statement, ﴾If a believer consoles their brothers for a calamity that inflicted them, Allah will clothe them in a garment of honor on the Day of Judgment.﴿ Narrated by Ibn Majah . Offering condolences is not done by slaughtering cows, sheep or camels; rather by expressing kind, supportive, and calming words reminding them to be content with the Divine Decree, seeking reward and fearing punishment.

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Women going out to offer condolences

Fifth question from Fatwa No. 7579

Q 5: is it permissible for a woman to go out with other women or one of her Mahrams (spouse or unmarriageable relative) to offer condolences or not? Can some people such as her mother, father and sister be exempted or it is impermissible in all cases?

A: It is permissible for a woman to go out to offer condolences as long as nothing unlawful is involved such as applying perfume or displaying charms or the likes which stirs

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temptation.

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`Abdullah ibn Qa`ud	`Abdul-`Aziz ibn `Abdullah ibn Baz

Offering condolences to a non-Muslim relative

The fifth question of Fatwa no. 1988

Q 5: is it permissible for a Muslim to offer condolences to his non-Muslim relative upon the death of his parents or any of his relatives, especially if the Muslim fears that if he does not offer condolences, his non-Muslim relatives may cause him any harm or cause him to abandon islam?

A: It is permissible for a Muslim to offer condolences to his non-Muslim relative if his intention is to endear Islam to their hearts. This is one of the objectives of Shari`ah (Islamic Law). He may also offer condolences to them for the purpose of averting any potential harm that might be caused to them or to other Muslims if they refuse to do so. It is excusable if slight harm is caused while attempting to safeguard the public interest of Muslims.

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ways of offering condolences

Fatwa No. 4504

Q: This question is about some things that take place when offering condolences to the family of the deceased. It has been witnessed recently that every village in the south collects money and sets up pavilions (for mourners to gather) for three consecutive days when a person dies. The multitude of mourners come in groups to these pavilions and sit for a period of time then they go and others come, and so on until these three days are over. The food is not served for the groups of mourners in the house of the deceased, but in the big pavilions, especially for those who come from remote villages. We do not know the legal ruling regarding setting up these pavilions and the continuous gathering of mourners for three days as well as the deceased family hosting these mourners who come from far places. Is there anything wrong with this? Kindly give us your Fatwa concerning what is permissible and what is not in the case mentioned above.

A: Firstly: It is an act of the Sunnah of the Prophet (peace be upon him) to offer condolences to the family of the deceased. This is proven by the deeds and sayings of the Prophet (peace be upon him).

Secondly: It is also an act of Sunnah to make food for the family of the deceased, for it is narrated on the authority of `Abdullah ibn Ja`far that he said: ﴾When the news of the death of Ja`far (may Allah be pleased with him) came that he was killed, the Prophet (peace be upon him) said: Make food for the family of Ja`far, for there has come to them something that is distracting them.﴿ Related by the Five Compilers of Hadith except for Al-Nasa'iy.

Thirdly: The mourners' gathering at the house of the deceased family and making food for the mourners

after the burial is not permissible. The basic rule in this regard is what Imam Ahmad narrated on the authority of Jarir ibn `Abdullah Al-Bajaly who said: ﴾We used to consider sitting with the family of the deceased and making food for mourners after burial as a sort of wailing.﴿

Fourth: It is Haram (prohibited) on the part of the people of the village to collect money to set up pavilions or big tents upon the death of any of them for three days during which the deceased's family receives groups of mourners in that pavilions and they sit for a period of time then others come and so on until the three days are over. This is baseless Bid`ah (rejected innovation in religion).

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Offering Condolences to the Bereaved Family at the Burial Site

The third question of Fatwa no. 8005

Q 3: after the burial of a person, some people offered condolences to the bereaved family beside the grave. Is this permissible?

A: It is permissible, as offering condolences does not have a particular time or place.

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The first question of Fatwa no. 4233

Q 1: When a person dies, the bereaved family accepts condolences beside the grave, and then they go to one of the neighbor's houses. Then, all the neighbors invite them alternatively for meals; they slaughter one or more sheep to feed them and their relatives. The condolences are offered for three days in the house of the deceased, in which they drink tea and coffee, and recite Qur'an in the form of separate portions. Every one who comes to offer condolences should choose one of the thirty portions of the Qur'an and recite it. At the end of the three days, all the people are invited to a large banquet that is hosted by the bereaved family, which is known as "Takhtimah", as more than a Khatmah (completing of one reading of the whole Qur'an) is made on that day. After forty days pass, some people repeat the whole process. Their motive is that the recitation of the Qur'an is for free, and they claim that this is a form of consolation to the bereaved family. Please, your Eminence, inform us whether this way is in conformity with Shari`ah or not. If it is not in conformity with the way that was followed in the era of the Prophet (peace be upon him),

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his Sahabah (Companions, may Allah be pleased with them) and Tabi`un (Followers, the generation after the Companions of the Prophet), please clarify this to the people of the town in an appropriate way. I only intend to enlighten the people.

A: There is no harm in offering condolences to the bereaved family in the graveyard, whether before or after the burial. As for the practices mentioned in the question, that the neighbors of the bereaved family invite them to eat with them in turn, in addition to erecting marquees, bringing people to recite the Qur'an, whether in return for fees or for free, and holding a banquet after forty days pass, all this is groundless in Shari`ah; moveover, it is even a Bid`ah (rejected innovation in religion), as the Prophet (peace be upon him) said, ﴾If a person innovates things in our affairs for which there is no valid reason, these are to be rejected.﴿ Preparing food by the bereaved family is one of the practices of the people of Jahiliyyah (pre-Islamic time of ignorance). Thus, it should not be done. What is permissible is to prepare food for the bereaved family and send it to them; not inviting them to it, as the Prophet (peace be upon him) said, ﴾When Ja`far (may Allah be pleased with him) was killed in the Battle of Mu'tah, he said to his family, "Prepare food for the family of Ja`far for they are too grieved to think of food now."﴿

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The fifth question of Fatwa no. 7339

Q 5: is the statement "no condolence at graves" a Hadith or not?

A: As far as we know, it is neither a report narrated on the authority of the Prophet (peace be upon him) nor a valid statement. Offering condolences is permitted at graves as well as other places.

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Fatwa No. 34

Q: The habit of the people in our country is to stay for a week or more to receive condolences when a relative dies. They have gone to extremes in this concern that they spend a lot money to slaughter animals and so on. Some people travel very far distances to offer condolences. They criticize those who do not offer condolences severely and describe them as miserly and negligent of doing their duty. We beseech your Fatwa in this concern.

A: offering condolence is permissible and it involves cooperation in endurance of misfortunes.

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However, sitting to accept people's condolences in the way mentioned and making it a habit has not been done by the Prophet (peace be upon him) nor his Companions. It is a habit that many people follow as if it were a religious ritual. Some may spend much money on this. This money may be the inheritance of some orphans in which case the money of the orphans is wasted. Some may blame whoever abstains from participating in such habits as if he has abstained from offering an Islamic ritual. It is one of the Bid`ahs (rejected innovation in religion) which is embodied in the saying of the Messenger of Allah (peace be upon him): ﴿He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.﴾ and in his Hadith: ﴿You must then follow my Sunnah and that of the rightly-guided caliphs. Hold to them and stick fast to them. Avoid novelties, for every novelty is an innovation, and every innovation is an error.﴾ He (peace be upon him) ordered Muslims to adhere to his Sunnah (whatever is reported from the Prophet) and that of the rightly-guided caliphs coming after him as they would not violate his Sunnah. He also warned against Bid`ahs and explained that it leads to error. So, Muslims should cooperate to change such habits and put an end to them. They should do this out of adherence to the Sunnah and in order to save time and money, to avoid rumination, and to avoid boasting by offering animals, and receiving numerous people offering condolences and the duration of sittings. People should follow in the footsteps of the Companions and Salaf (righteous predecessors) who used to offer condolences to the bereaved family, console them, offer charity on behalf of the dead and ask Allah's Forgiveness and Mercy for him.

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The third question of Fatwa no. (2618)

Q 3: What is the ruling on gathering at the house of the family of a deceased person on the day following his death to supplicate, try to relieve their sorrow and to console them for a period of three days or more? Some scholars have permitted doing this and others have forbidden it except in case of the Imam (ruler) so as to offer condolence, knowing that no one has submitted the evidence on this.

A: It is permissible to offer condolences to the bereaved family, its grown-ups and the juniors, with the intention of alleviating their grief, helping them to have patience and endure what they have been inflicted with. This is because of the general meaning that is implied in the Hadith related by Al-Tirmidhy that the Prophet (peace be upon him) said: ("Whoever consoles a bereaved person, will have a reward similar to that of the bereaved (on being patient)".) Al-Tirmidhy classified this Hadith as Gharib (a Hadith with a single narrator usually at the beginning of the chain of narration). This is also based on what was related by Ibn Majah that the Prophet (peace be upon him) said: (Whoever consoles their Muslim brothers for a disaster that inflicts them, Allah will dress them in a garment of honor on the Day of Resurrection.) The chain of narrators of this Hadith includes Qays Abu `Imarah Al-Farisy - the Freed Slave from Al-Ansar (Helpers, inhabitants of Madinah who supported the Prophet), and it was classified as "Layyin Al-Hadith" (the Hadith includes a sort of deficiency but is not deemed weak). However, since all the Hadiths mentioned in the consolation support each other, they can be taken as evidence

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to prove the validity of offering condolences without sitting and gathering for this purpose. This is because it is Makruh (reprehensible) to do this even for one day or more, as it was not authentically reported that either the Prophet (peace be upon him) or any of his Rightly-Guided Caliphs did this. Moreover, sitting and gathering with the bereaved family for a day or more leads to stirring up their grief and distracting them from returning to their normal life activities.

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Is it permissible to give a deceased person the title of al-Marhum (the receiver of mercy)?

The second question of Fatwa no. 4335

Q 2: is it better to supplicate Allah (Exalted be He) for the deceased or to recite the Qur'an on their behalf? is it permissible to give the deceased person the title of al-Marhum (the receiver of mercy) or is it better to seek Allah's mercy for him? Is it permissible to put a lamp or other things on the grave?

A: First, it is permissible to invoke Allah (Exalted be He) and ask His forgiveness for the deceased Muslim according to the evidence that supports this. Second, there is no evidence supporting the permissiblilty of reciting the Qur'an on behalf of the deceased.

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Third, it is impermissible to place a lamp or any other source of lighting on the grave because of the report in which the Prophet (peace be upon him) cursed women who visit graves and those who place lights on graves and take them as a place of worship. Fourth, it is impermissible to give a deceased Muslim the title of Al-Marhum; rather, it is better to say may Allah be merciful with him.

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Second question of Fatwa No. 6360

q 2: Is it permissible to call a deceased person for instance Al-Marhum (the person that Allah is merciful with) so-and-so or my father; the Marhum?

A: It is not permissible to call a deceased person "Al-Marhum"; rather, it should be said: "May Allah be merciful with him". This is because saying "Al-Marhum" is tantamount to saying that the deceased person has already been granted the Mercy of Allah (Exalted be He) while nobody knows about this except Allah (Glorified be He).

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Announcing the death of someone

The second question of Fatwa no. 4276

Q 2: Is it permissible to announce the death of a person by writing an obituary on a notice board especially made for that purpose? It should be noted that there are people who undertake the preparation of burial procedures of washing and shrouding. The Funeral Prayer is offered at the Masjid (mosque) immediately after Zuhr (Noon) or `Asr (Afternoon) Prayer.

A: First, it is prohibited to announce someone's death by publishing an obituary. It is, however, permissible to announce the news of his death to his relatives and acquaintances so that they can attend the Funeral Prayer and follow his burial procession. When Al-Najashy died in Abyssinia, the Prophet (peace be upon him) informed the Muslims of his death and offered a Funeral Prayer for him.

Second, it is not permissible to attach a notice board on the wall of a Masjid for the purpose of writing obituaries or anything of the sort because Masjids are not constructed for such purposes.

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Fatwa No. 11476

Q: This question is related to offering condolences. did the Prophet (peace be upon him) use to raise his hands and recite Surah (Qur'anic chapter) Al-Fatihah as our Sudanese brothers do? It is also their habit that they meet with the bereaved family on Fridays at the flat of the association in Riyadh. Huge numbers of Sudanese brothers, more than 500 persons, stay there from `Asr (Afternoon) Prayer to `Isha' (Night) Prayer. Each one gives five riyals to the bereaved family. They drink tea and some of them even smoke cigarettes. Because of this occasion of exchanging condolences, some of them abandon the congregational Salah (Prayer) on all week days except Fridays just to attend the Khutbah (sermon). We told them that this practice is tantamount to Bid`ah (innovation in religion) but they replied that they are just following the habit of their ancestors. Finally, they asked me to provide an official letter from you regarding this matter.

A: If the matter is exactly as what is mentioned in the question, this practice is a Bid`ah for it is authentically reported that the Prophet (peace be upon him) said: (Whoever did any act for which there is no sanction from our behalf, that is to be rejected.)

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Fatwa no. 2175

Q: In our town, Pattaya, in south of Thailand, big problems aroused concerning

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the issue of preparing food by the family of the dead for the condolers. I hope, Your Eminence, will clarify this issue and the following issues:

The rules of religious obligations are: Wajib (obligatory), Mandub (commendable), Ja'iz (permissible), Makruh (reprehensible) and Mahdhur (prohibited). What is the ruling on a person who denies one of the mentioned rules by saying about a matter that is

1- Obligatory, it is commendable, permissible, reprehensible or prohibited;

2- about the commendable, it is obligatory, permissible, reprehensible or prohibited;

3- about the permissible, it is obligatory, commendable, reprehensible or prohibited;

4- about the reprehensible, it is obligatory, commendable, permissible or prohibited;

5- or about the prohibited, it is obligatory, commendable, permissible or reprehensible.

For instance, the knowledgeable scholars said, "It is Makruh that people should be entertained with food served by the family of the deceased, because this is prescribed in the time of happiness, not sorrow; it is a loathsome Bid'ah (innovation in religion)". They also said, "It is Makruh to serve food on the first, second and third days, until a week passes". They also said, "The four Imams (Abu Hanifah, Malik, Al-Shafi'y, and Ahmad) agree that it is Makruh that the family of the deceased should make food for the people to gather and eat," and similar scholarly opinions. However, in our town, Pattaya, most of the scholars stated the opposite of that; some of them said it is Sunnah; others said it is permissible; and a few of them said it is obligatory. Hajj `Abdullah Al-Haj Muhammad Salih, `Abdul-Rahman Jafakiya and I hold the same opinion of the former knowledgeable scholars.

Upon this dispute, they accuse one another of Kufr (disbelief) and do not eat from one another's sacrificed animals or do they marry from one another's families. I wish

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your Eminence would send us a written Fatwa so that we can print and distribute it freely among all the people, In sha'a-Allah (if Allah wills).

A: First: The authentic Sunnah indicates that the family of the deceased are not the ones who should make food but it is their Muslim brothers who should make food for them as a form of support and showing condolences, as they might be too grieved to think of food. Abu Dawud narrated in his Sunan (Hadith compilations classified by jurisprudential themes), on the authority of `Abdullah ibn Ja`far that he said, ("When the death of Ja`far (may Allah be pleased with him) was announced, the Messenger of Allah (peace be upon him) said, "Make food for the family of Ja'far, for there has come to them what is preoccupying them".) Narrated by Ahmad, Abu Dawud, Al-Tirmidhy and Ibn Majah. Al-Tirmidhy classed it as Hasan (a Hadith whose chain of narration contains a narrator with weak

exactitude, but is free from eccentricity or blemish). As for making food by the family of the deceased for the people and adopting this as a custom, it is something that was never known to be done by the Prophet (peace be upon him) or the Rightly-Guided Caliphs. It is a Bid'ah that must be renounced, as it adds more burden to the family of deceased and involves imitation of the people of Jahihiliyyah (pre-Islamic time of ignorance) and turning away from the Sunnah of the Prophet (peace be upon him) and the Rightly-Guided Caliphs (may Allah be pleased with them). Imam Ahmad narrated on the authority of Jarir ibn `Abdullah Al-Bajaly that the Sahabah (Companions of the Prophet, may Allah be pleased with them) considered gathering at the bereaved family's home after burial and their cooking food for them a form of wailing (over the dead). It is also

not permissible to slaughter an animal by the grave, at the time of death, or when the corpse is taken out of the house, according to the Hadith narrated by Ahmad and Abu Dawud, on the authority of Anas (may Allah be pleased with him) that the Prophet (peace be upon him) said, ﴾There is no slaughtering (at the grave) in Islam.﴿

Second: If a Muslim contradicts an explicit textual ruling or injunction of the Qur'an or the Sunnah, which is not open to interpretation or Ijtihad (juristic effort to infer expert legal rulings), or goes against the absolute established Ijma' (consensus) of the Ummah, the correct ruling should be pointed out to them. If they accept it, thank Allah! But if they insist on changing the Ruling of Allah, even after clarifying the ruling to them and establishing evidence, they would be declared as Kafirs (disbelievers) and treated as apostates from Islam such as those who deny the Five Obligatory Daily Prayers or one of them, or the obligation of Sawm (fasting), Zakah, or Hajj, and allegorically interpret their respective textual-evidence in the Qur'an and the Sunnah giving no importance to the unanimous consensus of the Ummah.

However, if a Muslim contradicts a ruling established by controversial evidence, or open to different interpretations and opposite rulings, it is regarded as a difference in opinion over a discretionary issue that is subject to Ijtihad. In this case, the contradictor is not considered a Kafir, but will be excused if their opinion is wrong and will be rewarded for Ijtihad. If their opinion is right, they will be given due credit and will have two rewards: one for Ijtihad and another for being right. Examples of this include those who deny the obligation of reciting

Al-Fatihah by the Ma'mum (a person being led by an Imam in Prayer) in opposition to those who confirm it and those who contradict the ruling on the bereaved family making food and invite people to that judging such an act to be Mustahab (desirable), Mubah (permissible), or Makruh (reprehensible) but not Haram (unlawful or forbidden). Such people should not be declared as Kafirs nor should people abstain from offering Salah behind them or prohibit marriage from their families or eating from their sacrificed animals. They should be advised and reminded of the precepts of Shari'ah, because they are Muslim brothers who have the same rights as the rest of the Muslims. Controversy over such issues is considered as a difference in opinion over a subsidiary speculative issue open to Ijtihad. It took place in the era of the Sahabah (may Allah be pleased with them) and the Imams of the Salaf (righteous predecessors). However, they did not declare one another to be disbelievers or stop socializing with one another.

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Permanent Committee for Scholarly Research and Ifta'

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Bringing presents when offering condolences to a bereaved family

Fatwa no. 1837

Q: Upon coming to offer condolences to the bereaved family, some delegations of certain tribes bring one or two Muds (a dry measure of half bushel, 543 grams) of coffee with them

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and a kilo of cardamom. The amount brought depends on how close the offerers of condolences are to the afflicted family. The coffee is served to others who come to offer condolences. A long time ago, people used to donate sums of money to the bereaved family in compensation for the loss of a relative. It is out of Allah's grace and due to the efforts of scholars that these evil customs are no longer practiced. However, the custom mentioned above has appeared in its place. What is the ruling on this custom? May Allah reward you with the best.

A: It was authentically reported from `Abdullah Ibn Ja`far who said: ("When the news of the death of Ja`far (who was martyred in the battle of Mu'tah) reached the Messenger of Allah (peace be upon him), he said: 'Prepare food for the family of Ja'far for there came upon them an incident which has engaged them.') This and other similar Hadiths narrated regarding offering condolences to the bereaved family indicate the permissibility to relieve and comfort the afflicted ones by preparing food for them as they become occupied with the affliction that has befallen them. This Hadith also provides grounds for the permissibility to comfort them through any other lawful means like bringing food or coffee or waiving the debt of the deceased or refusing to receive one's entitled share of inheritance from the deceased's property and other charitable activities which Muslims are encouraged to do. This is based on the Qur'anic Ayah (verse) in which Allah (Exalted be He) says: (O you who have believed! Bow down, and prostrate yourselves, and worship your Lord and do good that you may be successful.)

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Feast prepared by the bereaved family

Fatwa no. 2707

Q: The people in my village practice the custom of preparing a feast on the fourth or the fifth day of their relative's death. This feast is believed to be a charitable act done on behalf of the deceased. The cost is paid either from the deceased's wealth or by some relative who volunteers to do so. We would like to know whether this practice is permissible, especially as large sums of money are wastefully spent on slaughtered animals and ostentation is always associated with such occasions. If it is permissible, what is the proper procedure to follow?

A: It is not permissible for the family of the deceased to prepare food whether the cost for preparing it is paid by the heirs or from the deceased's one-third of the wealth which he leaves behind or by some volunteer, as this contradicts the Prophet's (peace be upon him) line of conduct. Ahmad, Abu Dawud, Al-Tirmidhy and Ibn Majah narrated a Hadith with an authentic Isnad (chain of narrators) on the authority of `Abdullah Ibn Ja`far who said: ﴿When the news of the death of Ja`far reached the Messenger of Allah (peace be upon him), he said: 'Prepare food for the family of Ja'far for there has come upon them an incident which has engaged them.'

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﴾ It is also narrated on the authority of `Abdullah Ibn Abu Bakr who said: 'We continued to abide by this act of the Sunnah (preparing food for bereaved families) until a time came when some people started to give it up.' Ahmad narrated a Hadith with a good Isnad on the authority of Jarir Ibn `Abdullah Al-Bajaly (may Allah be pleased with him) who said: ﴿We used to consider sitting with the family of the deceased and making food for mourners after the burial as a sort of wailing.﴾ It is an act of Bid`ah (rejected innovation in religion) to specify a certain period of four or five days after which the food is prepared.

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serving food as sadaqah (voluntary charity) in Ma'tam (mourning gathering)

Ninth question from Fatwa No. 5401

Q 9: Is it permissible for a person to serve food as Sadaqah in the Ma'tam and to donate its reward to the deceased?

A: In cases of death, the ruling is that food should be prepared by people other than the family of the deceased because the calamity that has befallen them

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makes them too preoccupied to make food for themselves. It is related by Abu Dawud in his Sunnan on the authority of `Abdullah ibn Ja`far (may Allah be pleased with him) that he said: ⦅When the news of the death of Ja`far ibn Abu Talib (may Allah be pleased with him) came, the Prophet (peace be upon him) said: Make food for the family of Ja`far Because there has come to them that which will preoccupy them.⦆ As for setting up pavilions and tents for mourners to gather and serving food for them, this is not the Sunnah of the Prophet (peace be upon him). All goodness is to be found in following the teachings of the Prophet, his guidance and Sunnah. Allah (Exalted be He) says: ⦅Indeed in the Messenger of Allâh (Muhammad صلى الله عليه وسلم) you have a good example to follow for him who hopes for (the Meeting with) Allâh and the Last Day, and remembers Allâh much.⦆ He (Exalted be He) says: ⦅Say (O Muhammad صلى الله عليه وسلم to mankind): "If you (really) love Allâh then follow me (i.e. accept Islâmic Monotheism, follow the Qur'ân and the Sunnah), Allâh will love you and forgive you your sins. And Allâh is Oft-Forgiving, Most Merciful."⦆ It is related by Imam Ahmad with a good Sanad (chain of narrators) on the authority of Jarir ibn `Abdullah Al-Bajaly who said: ⦅We used to consider gathering with the family of the deceased and making food for them after the burial to be a kind of wailing.⦆

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Second question from Fatwa No. 313

Q 2: In the far west of Africa, when someone dies, they do not bury him until they collect a lot of money, sometimes thousands or millions of francs depending on the social rank of the dead person. After that the people of the village gather on the third, seventh and fortieth days after his death to offer Prayer and give charity on his behalf. This happens to the extent that when someone dies we feel grief just because it means that we have to collect money and distribute it to certain people and to the bereaved family only. This takes place on the day of the burial, the third, seventh and the fortieth days after death. Please explain to us the legal ruling on these matters which concerns every Muslim.

A: It is not authentically reported from the Prophet (peace be upon him) nor from his Companions, nor from the Salaf (righteous predecessors) that they collected money for charity on behalf of the dead person, nor distributed it to specific people or to the bereaved family of the dead person. It is also not reported that they specified a charity to be given on behalf of the dead person nor invoked Allah for him on a specific day like the third, seventh or fortieth day after death and they did not meet to do all these things. What they used to do was ask Allah to forgive the dead after they buried him and ask Allah to make him firm when the angels ask him. They did not specify a certain time or conditions to give charity on behalf of the dead person or to invoke Allah for him. Therefore, not specifying a certain time or condition for giving charity on behalf of the dead person is evidence that it is not permissible to do so, especially that they experienced many deaths and martyrs. Accordingly, collecting money

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from everyone after a person dies then distributing it to his relatives and gathering on the four days you mentioned as done by your people is a type of Bid`ah (rejected innovation in religion) which Muslims should avoid and abandon altogether. Thus, any person who knows the ruling on this should explain the truth to them and reproach them for committing such Bid`ahs. The best thing is to follow the Prophet (peace be upon him) and the righteous predecessors (may Allah be pleased with them). When someone died, they used to offer Funeral Prayer over him, follow his funeral procession, invoke Allah for him at the burial and on visiting his grave, give charity on his behalf and prepare food for his family because the incident preoccupies them to prepare food for themselves. Therefore, it is not permissible for any Muslim to add to the matters related to the dead or any other religious affairs they do because every Bid`ah (innovation in religion) is an error.

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

First, second, and fifth questions from Fatwa No. 2612

Q 1: what is the origin of the celebration held on the third day after the burial of a dead person?

A: It was innovated by those who are ignorant of Islam and their duty to

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protect its principal and subsidiary matters. They do not have good religious sense, as it is mixed with the traditions of the misguided people. It is an unacceptable Bid`ah (innovation in religion) for the Prophet (peace be upon him) said: ﴾Whoever does an action which is not in accordance with this matter of ours (Islam), will have it rejected.﴿ .

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Q 2: what is the origin of the fortieth-day memory? Is there any evidence that makes this commemoration a lawful practice in Islam?

A: First, the origin of this custom is Pharaonic. It was practised by the Pharaohs before Islam, then it spread from them to other nations. It is a reprehensible Bid`ah (innovation in religion) which has no basis in Islam, and it is to be rejected as the Prophet (peace be upon him) said: ﴾Whoever innovates anything in this matter of ours (Islam) which is not a part of it, will have it rejected.﴿

Second, commemorating and eulogizing the deceased in the manner that is done nowadays, as people gather for that purpose and exaggerate in praising the deceased is not permitted. This is based on the narration by Ahmad and Ibn Majah and classified as Sahih (a Hadith that has been transmitted by people known for their uprightness and exactitude; free from eccentricity and blemish) by Al-Hakim that Abdullah ibn Abu Awfa said, ﴾The Messenger of Allah (peace be upon him) forbade eulogies.﴿ Moreover, it is not permitted because mentioning the attributes of the deceased usually involves boasting and agitates sorrow and grief. However, simply speaking well of the deceased when he is mentioned or when his funeral passes by, or mentioning his good deeds and so on, in a manner that is similar to the way in which the Sahabah (the Prophet's companions) eulogized those who were killed at Uhud and others, is permissible. It was narrated that Anas Ibn Malik (may Allah be pleased with him) said: ﴾A funeral passed by and they spoke well

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of the deceased. The Prophet (peace be upon him) said: 'The deceased deserved it.' Then another funeral passed by and they spoke ill of the deceased. The Prophet (peace be upon him) said, 'The deceased deserved it.' `Umar (may Allah be pleased with him) said: What did they deserve?' He (peace be upon him) said: The first one you spoke well of deserved Paradise, and the second one you spoke ill of deserved Hell. You are the witnesses of Allah on earth.﴿

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Q 5: is it possible for someone other than prophets and messengers to reach a degree that enables them to receive revelation directly from Allah (Exalted be He)?

A: No human being other than the Prophets and Messengers (peace be upon them all) can receive any Wahy (Revelation) neither by notifying nor legislating directly from Allah (Exalted be He). Nevertheless, a righteous person may see a Ru'ya Sadiqah (true dream) or it may be seen for them when they are sleeping but not when they are awake. This is regarded as one part of forty-six parts of Prophethood. A person may also have Al-Firasah Al-Sadiqah (true insight) for it is a sort of Ilham (inspiration) as was the case with `Umar ibn Al-Khattab (may Allah be pleased with him). However, Al-Ru'ya and Al-Firasah of any one other than the Prophets and Messengers (peace be upon them all) are not considered to be an origin of legislation and people do not have to believe in them for there is much confusion and mixing of true and untrue Ru'yas (dreams) and Firasahs (insights). Thus, Muslims should not depend on Ru'yas and Firasahs of anyone other than the Prophets and Messengers (peace be upon them all) for our Prophet (peace be upon him) did not rely on the Ru'yas and Firasahs of Muslims including those of

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`Umar (may Allah be pleased with him). He (peace be upon him) only relied on the Wahy that was revealed to him.

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attending condolence banquets

The fifth question of Fatwa no. 8868

Q 5: When one of my relatives dies, his family holds a banquet for a week and forty days after his death. You previously issued a Fatwa saying that this practice was a rejected Bid`ah (innovation in religion). However, I attend this banquet for the purpose of not breaking the ties of kinship. What is the ruling on sharing in this Bid`ah banquet and eating the served food in it?

A: It is impermissible to accept the invitation to this banquet because it is a Bid`ah. It was authentically narrated that the Messenger of Allah (peace be upon him) said: (Whoever innovates something in this matter of ours [Islam] that is not part of it, will have it rejected.) When you refuse to attend, you are obeying Allah (Exalted be He) and you are not breaking the ties of kinship. Breaking the ties of kinship happens when you abandon the good and charitable deeds prescribed by Allah (Exalted be He) towards them. However, if you attend with the intention that you are able to change this evil act,

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there will be no harm in doing so provided that you do not eat from the food served at the banquet.

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Lamenting the dead

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The second question of Fatwa no. 2177

Q 2: Is it permissible to lament a dead person by bewailing him or slapping the cheeks or tearing clothes. Does this wailing affect the dead person?

A: It is prohibited if crying over the dead person is accompanied by lamenting and wailing or rending apart one's clothing and the like. It is authentically narrated in the two books of Sahaih (authentic books of Hadith compiled by Al-Bukhari and Muslim) on the authority of Ibn Mas`ud that the Prophet (peace be upon him) said: ("He is not of us: the one who strikes the cheeks, rends the garments and wails in the manner of Jahiliyyah (pre-Islamic Days of Ignorance).") The Messenger of Allah (peace be upon him) is authentically reported to have cursed the wailing woman and women who sit and listen to her wailing. It is also authentically reported that the Messenger of Allah (peace be upon him) said: (The deceased is tortured in his grave for the wailing done over him.) According to another version: (The dead is punished because of his family's weeping over him.) Here weeping means lamenting and wailing. Otherwise, there is nothing wrong in shedding tears in grief for the dead person as this is a natural human instinct which can not be curbed. When the Prophet's son Ibrahim died, the Prophet (peace be upon him) said: (The eyes are shedding tears and the heart is grieved, and we will not say except what pleases our Lord. O Ibrahim!

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Indeed we are grieved by your departure.) The Prophet (peace be upon him) also said: (Allah does not punish for the tears that the eye sheds or the grief the heart feels, but He punishes for this (pointing to his tongue), or He may show mercy.)

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The second question of Fatwa no. 2709

Q 2: It is a common practice in our village that when a person dies, women attend a three-day-mourning assembly at a place that has been designed especially for this purpose. There they keep wailing and lamenting in the manner of Jahiliyyah (pre-Islamic time of ignorance). When I told them that Islam prohibited this custom which was practiced in the pre-Islamic era, they asked me to provide evidence to support my statement.

A: Mourning accompanied by Niyahah (loud wailing over the dead person always associated with demonstrating his great characteristics) or Nadb (lamentation of the dead person always associated with mentioning his great qualities) is prohibited.

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The prohibition is emphasized in the Hadith narrated by Abu Sa`id (may Allah be pleased with him) who said: ("The Messenger of Allah (peace be upon him) cursed the female weeper (i.e., the professional mourner) and the woman who listens to her.") Narrated by Abu Dawud. It is also narrated on the authority of Um `Atiyyah (may Allah be pleased with her) that she said: (At the time of giving the pledge of allegiance to the Prophet (peace be upon him) one of the conditions was that we would not make Niyahah.) This Hadith is agreed upon by Al-Bukhari And Muslim.

The above two Hadiths indicate the prohibition of niyahah as well as listening to those who make it. When the Prophet curses something, it means that it is prohibited. It is related in the two books of Sahih (authentic books of Hadith compiled by Al-Bukhari and Muslim) on the authority of Ibn Mas`ud (may Allah be pleased with him) who said: The Messenger of Allah (peace be upon him) said: ' ("He is not of us: the one who strikes the cheeks, rends the garments and wails in the manner of Jahiliyyah (pre-Islamic Days of Ignorance).") It is also narrated in these two books on the authority of Abu Musa Al-Ash`ary (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: (I have no concern with one who makes Halq or Salq or Kharq.) Halq means shaving one's hair upon

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occurrence of a calamity. Salq means crying in a loud voice upon the occurrence of a calamity. Kharq or Shaqq means renting apart one's clothing upon the occurrence of a calamity.

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Book of Zakah

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A summary of Zakah rulings

Fatwa no. 2262

Praise be to Allah Alone, and peace and blessings be upon the final Prophet. The Permanent Committee for Scholarly Research and Ifta' has read the document sent to the committee's Chairman from the Saudi deputy Vice-Minister for Foreign Affairs. The document includes the Jeddah based Pakistani Embassy's request that the Saudi Ministry of Foreign Affairs provide them with necessary information about Zakah, definition of Nisab (the minimum amount on which Zakah is due), and the channels in which it can be used. They would like the answer to be in English in order to benefit from it to conduct a study on Zakah and how it can be applied in Muslim countries at the present time. The Pakistani government is intending to collect Zakah according to the rulings of Shari`ah (Islamic law).

The deputy Minister of Foreign Affairs has asked the Committee to provide him with this information if possible.

After studying the question, the Committee gave the following answer:

Zakah is one of the pillars of Islam and there is much to be said about it.

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and the Committee has chosen to discuss the following points: Evidence on the obligation of Zakah, the Nisab and the paid amount of Zakah, the conditions that make Zakah obligatory, and those who deserve to receive Zakah

Here are these points in details:

Firstly: evidence on the obligation of Zakah:

Zakah is one of the five pillars of Islam and it is obligatory according to the Qur'an, the Sunnah (whatever is reported from the Prophet) and Ijma` (consensus) of Muslim scholars.

In the Qur'an, Allah (Exalted be He) says: ﴿And perform As-Salât (Iqâmat-as-Salât), and give Zakât and obey the Messenger (Muhammad صلى الله عليه وسلم) that you may receive mercy (from Allâh).﴾ He also says: ﴿Take Sadaqah (alms) from their wealth in order to purify them and sanctify them with it﴾ And Allah says as well: ﴿And those who hoard up gold and silver [Al-Kanz: the money, the Zakât of which has not been paid] and spend them not in the Way of Allâh, announce unto them a painful torment.﴾ ﴿On the Day when that (Al-Kanz: money, gold and silver the Zakât of which has not been paid) will be heated in the Fire of Hell and with it will be branded their foreheads, their flanks, and their backs, (and it will be said unto them): "This is the treasure which you hoarded for yourselves. Now taste of what you used to hoard."﴾ So, any money upon which Zakah is payable and it has not been paid is considered Kanz whose owner will be tortured with it on the Day of Resurrection. There are many Ayahs (Qur'anic verses) that confirm the obligation of Zakah, but the Ayahs we mentioned are sufficient evidence.

Many Hadith also confirm the obligation of Zakah, such as those related in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) and many others. It is related that the Messenger of Allah (peace be upon him) said: ﴿"Islam is based on five pillars: Testimony that La ilaha illa Allah Muhammad rasul Allah (there is no deity but Allah. Muhammad is the Messenger of Allah); performing Salah (Prayer), giving Zakah (obligatory charity), performing Hajj (Pilgrimage), and observing Sawm (Fast) in Ramadan."﴾ Mu`adh Ibn Jabal (may Allah be pleased with him) narrated that ﴿The Prophet (peace be upon him) sent him to Yemen and said to him: "... teach them (the people of Yemen) that Allah has made it obligatory for them to pay Zakah on their property and it is to be taken from the wealthy among them and given to the poor."﴾ (Related by Al-Bukhari and Muslim in their Two Sahih (authentic) Books of Hadith. It was also narrated that the Messenger of Allah (peace be upon him) said: ﴿"I have been ordered (by Allah) to fight against the people until they testify that none has the right to be worshipped but Allah and that Muhammad is the Messenger of Allah, and offer the prayers perfectly and give the Zakah (the obligatory charity). If they

do all that, then they have protected their lives and property from me except for [that which is taken as punishment according to Islamic laws], and then their reckoning (accounts) will be done by Allah."﴾ (Agreed upon by Al-Bukhari and Muslim)

As for Ijma`, Muslim scholars agree on the obligation of paying Zakah.

Secondly: the Nisab and the paid amount of Zakah:

Zakah is due on livestock, crops, silver, gold, and commercial commodities.

Livestock includes camels, cows and sheep and Zakah is only due on those animals that are grazing in the open most of the year and that have been in one's possession for a year. The Nisab of camels on which Zakah is due is 5 camels and in this case their Zakah is one sheep. The Zakah due on 10 camels is 2 sheep. Likewise, the Zakah due on 15 camels is 3 sheep and on 20 camels is 4 sheep. If, however, the number of camels reaches 25, the Zakah to be paid is one Bint Makhad (a one-year-old she-camel). If it is not available, one Ibn Labun (a two-year-old he-camel) will be sufficient. In the case of 36 camels, the Zakah is one Bint Labun (a two-year-old she-camel). If the number of camels is 46, the due Zakah is Haqqah (a three-year-old she-camel). If the number of camels reaches 61, the Zakah is one Jadh`ah (a four-year-old she-camel). If the number of camels is 76, the Zakah is two Bint Labuns.

If one owns between 91 and 120 camels, the Zakah due on them is two Haqqahs. If the number of camels is above 120, the due Zakah is one Bint Labun for every increment of 40 camels and a Haqqah for every increment of 50 camels. If the number of camels is 200, one can either pay 4 Haqqahs or 5 Bint Labuns. There is nothing additional to be paid in numbers of camels between the regulated numbers. If one does not find a she-camel of certain age to pay as Zakah, they can pay a younger one along with two female sheep or 20 dirhams, but if they pay an older one, the Zakah collector, then, will pay them twenty dirhams or two female sheep.

The original rule for the Zakah on camels is based on the Hadith related by Anas (may Allah be pleased with him) in a letter sent to him by Abu Bakr (may Allah be pleased with him) upon appointing him the ruler of Bahrain. The letter reads: ﴾In the Name of Allah, the Beneficent, the Merciful. These are the orders for the Zakah that the Messenger of Allah (peace be upon him) made obligatory on every Muslim, and which Allah ordered His Messenger (peace be upon him) to observe. Any Muslim who is asked to pay it should pay it and any Muslim who is asked for more than this should not pay it. If there are 24 camels or less, one sheep is to be paid for every 5 camels; between 25 to 35 camels, one Bint Makhad is to be paid, and if not, Ibn Labun is to be paid; and if they are between 36 to 45, one Bint Labun is to be paid; and if they are between 46 to 60, one Hiqqah which is ready to mate is to be paid; and if the number is between 61 to 75, one Jadh'ah is to be paid; and if the number is between 76 to 90, two Bint Labuns are to be paid;

and if they are from 91 to 120, two Haqqahs which are ready to mate are to be paid; and if there are over 120, for every 40 (over 120) one Bint Labun is to be paid, and for every 50 camels (over 120) one Haqqah is to be paid; and any Muslim who has only 4 camels, has to pay no Zakah, but if the owner wants to give something, they can. If the camels are 5, one sheep is to be paid..."﴿ (Related by Al-Bukhari, Malik, and others) They regard this Hadith as a source of Zakah rulings, saying that it is a great authentic Hadith. Imam Ahmad said about it: "I know of no Hadith on Zakah better that this one. It shows that no Zakah is due on Awqas (any number between the regulated numbers)". Al-Bukhari also narrated that Anas (may Allah be pleased with him) said that Abu Bakr (may Allah be pleased with him) had written to him about the Zakah obligated by Allah and His Messenger saying: ﴾Anyone who has to pay one Jadh'ah as Zakah on their camels but they have not got it, and they only got a Haqqah, it will be accepted from them along with two sheep if they are available or twenty dirhams. Anyone who has to pay one Haqqah as Zakah and they have not got it but they have a Jadh'ah, it will be accepted from them,

and the Zakah collector should repay them twenty dirhams or two sheep. Anyone who has to pay one Haqqah as Zakah and they have not got it, but they have a Bint Labun, it will be accepted from them along with two sheep or twenty dirhams. Anyone who has to pay one Bint Labun and they have a Haqqah instead, it will be accepted from them and the Zakah collector should repay them twenty dirhams or two sheep. Anyone who has to pay one Bint Labun and they have not got it but they have a Bint Makhad, it will be accepted from them along with twenty dirhams or two sheep."﴿ Al-Daraqutny related that `Ubayd ibn Sakhr said: ﴾"The Messenger of Allah (peace be upon him) ordered his governors in Yemen that Awqas are to be exempted from Zakah."﴿ Similar Hadith is related in Al-Sunan (Hadith compilations classified by jurisprudential themes) on the authority of Ibn `Abbas. Al-Waqs is a number between two of the regulated numbers such as any number of camels between five and ten and it is exempted from Zakah. Also Abu Dawud, Al-Nasa'y, Ahmad, and others

related that Bahz ibn Hakim related from his father who related from his grandfather that the Prophet (peace be upon him) said: ("For every forty grazing camels, one Bint Labun is to be given (as Zakah)...") Al-Jawhary and others said: "In Arabic, 'Samat' means they graze and 'Asmat' means they are left to graze." Some scholars doubted Bahz, but Ibn Ma`in said the Sand (chain of narrators) of his related Hadith are reliable. Al-Hakim said that narrators agreed on the authenticity of the Hadith narrated by Bahz from his father from his grandfather.

As for cows, there is no Zakah due on them until they reach 30 cows. In such case,

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one Tabi` or Tabi`ah (a one year-old cow) is due. For every 40 cows, a Musinnah (a two-year-old cow) is to be paid as Zakah, and if the number of cows is 60, the Zakah is two Tabi'ahs. For every additional 30 cows, the Zakah is one Tabi'ah and for every additional 40 cows, the Zakah is one Musinnah. The original ruling is based on the Hadith related by Mu`adh Ibn Jabal (may Allah be pleased with him) who said: ("The Messenger of Allah (peace be upon him) sent me to Yemen, and ordered me to take (as Zakah) one Tabi` or Tabi`ah for every 30 cows and one Musinnah for every 40 cows.") (Related by Ahmad, Abu Dawud, Al-Nasa'y, Al-Tirmidhy and Ibn Majah) This Hadith was deemed as Hadith Hasan (good Hadith) by Al-Tirmidhy and as Hadith Sahih (authentic Hadith) by Al-Nasa'y, Ibn Hibban, and Al-Hakim. Abu Dawud added these words to the Hadith: ("No Zakah is payable on working animals.") This Hadith is deemed as Sahih by Al-Daraqutny. This means that no Zakah is due on animals used for irrigation, plowing the land, or carrying heavy burdens, though the apparent meaning of the Hadith refers to all cows, whether they graze or are stall-fed. The conditions of obligating Zakah on cows are similar to those confirmed in relation to camels and sheep from the Hadith related by Anas in Al-Bukhari book of authentic Hadith and the previous Hadith related by Bahz.

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As for sheep, there is no Zakah due on them until they reach 40. For sheep that are between 40 and 120, one sheep is due as Zakah. If the number of sheep is between 121 and 200, two sheep are due. If the number of sheep is 201, then three sheep are due. For every additional 100 sheep, one sheep should be paid. If the payable Zakah is a goat, it should be at least one year old and if it is a lamb, it should be at least two years. The sheep paid as Zakah should not be a he-goat, nor should it be old aged, or one-eyed or defective. Likewise, it should not be raising its young or pregnant, nor should it be the best among sheep, except if the owner prefers to give the best of their flock. The original ruling is based on the Hadith narrated by Anas ibn Malik (may Allah be pleased with him) in the letter about Zakah sent to him by Abu Bakr Al-Siddiq (may Allah be pleased with him) upon appointing him the ruler of Bahrain : (These are the orders for the Zakah that the Messenger of Allah (peace be upon him) made obligatory on every Muslim...As regards the Zakah; if the grazing sheep are between 40 and 120, one sheep is to be paid; and if they are between 120 to 200, two sheep are to be paid; and if they are between 200 to 300, three sheep are to be paid. For each additional 100 sheep, one sheep is to be paid as Zakah. In case a person has less than 40 sheep, no Zakah is required, unless the owner wants to pay it, they can. Those which are in one flock are not to be separated, and those which are in separate flocks are not be brought together for fear of Zakah. Regarding that which belongs to two partners, they can make claims for restitution from each other with equity. The sheep paid as Zakah should not be old aged, one-eyed or defective, or a he-goat, unless the owner wants to pay that.") (Related by Al-Bukhari Abu Dawud, Ibn Majah, Al-Tirmidhy, Al-Nasa'y

and others) Abu Dawud and others narrated that `Abdullah ibn Mu`awiyah Al-Ghadiry narrated that Allah's Messenger (peace be upon him) said: ("We do not give (as Zakah) an animal that is aged, mangy or ill, or the worst of the flock. Instead, give those animals that are of medium quality, for Allah does not ask you for the best of your animals, nor does He command you to give the worst of them.") If all of one's animals are aged or defective, they may be paid as Zakah, for the Zakah is meant to console the poor and there are many Hadith that show it should be taken from that which is in the middle range of what one owns - not from the best or the worst.

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As for the outcome of cultivated land, it includes:

grains, fruits, mineral, and Rikaz (buried treasures). These can be detailed as follows:

Grains and fruits:

Zakah is obligatory for all kinds of grains and fruits that are measured and stored. However, there are two conditions that have to be fulfilled for the obligation of Zakah in this regard:

Firstly: Reaching the Nisab (the minimum amount on which Zakah is due) which, after liquidation in grains and dryness of fruits, equals five Wasqs (1 Wasq = 60 Sa`s =130,320 kg) which were common during the lifetime of the Prophet (peace be upon him).

Secondly: The Nisab should be owned by the person when Zakah is due.

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One-tenth is due on land which is irrigated without any effort, such as by rain, streams and that which is irrigated through its roots. One half of one-tenth is due on that which is irrigated by artificial means such as machines. If it is irrigated for half the year by one means and for half the year by the other, then the rate is three-quarters of one-tenth. If it is irrigated by one means more than by the other, then it should be worked out according to the means which is used more. If the ratio is unknown, then one-tenth is due. If the grains and fruits became ripe, then Zakah is due, and it is confirmed by storing them, but if they spoil before that then Zakah is not due whether estimated or not. It is worth mentioning that Zakah is due on grains after being liquidated and on fruits after ripeness. The ruler should send an expert after the fruits are in good condition to estimate Zakah for them so they can handle the fruits as they will. If there are many kinds of fruits, then each should be estimated separately, and if there is just one kind, then each tree will be estimated on its own, or the expert can make the estimation as a whole. During the process of estimation, the owner of the fruits is entitled to a third or a quarter, and if he does not, then he can eat from the fruits afterwards. Zakah is not due on vegetables due to the saying of Allah (Exalted be He): ﴾O you who believe! Spend of the good things which you have (legally) earned, and of that which We have produced from the earth for you, and do not aim at that which is bad to spend from it, (though) you would not accept it save if you close your eyes and tolerate therein. And know that Allâh is Rich (Free of all needs), and Worthy of all praise.﴿ and: ﴾pay the due thereof (its Zakât, according to Allâh's Orders 1/10th or 1/20th) on the day of its harvest﴿

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Ibn `Abbas and others said: What is due here is the obligatory Zakah.

It is also narrated on the authority of Abu Sa`id (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: ﴾No Zakah is due on less than five Wasqs (1 Wasq = 60 Sa's =130,320 kg).﴿ Agreed upon by Al-Bukhari and Muslim. Muslim also narrated: ﴾No Zakah (obligatory charity) is due on less than five Wasqs (1 Wasq = 60 Sa`s =130,320 kg) of dates or grains.﴿ The narration of Abu Dawud contains: "Zakah".

It is narrated on the authority of Ibn `Umar (may Allah be pleased with them both) that the Prophet (peace be upon him) said: ﴾On land irrigated by rain water or by natural water channels or if the land is watered by a nearby water channel, `Ushr (i.e. one-tenth) is compulsory (as Zakah); and on the land irrigated by a well, half of an `Ushr (i.e. one-twentieth) is compulsory (as Zakah on the yield of the land).﴿ Related by Al-Bukhari and others. Muslim narrated on the authority of Jabir: ﴾On land irrigated by camels, one twentieth is due (as Zakah).﴿

On the authority of `Attab ibn Usayd (may Allah be pleased with him) that he said: ﴾The Messenger of Allah (peace be upon him) commanded us to estimate vines (for collecting Zakah) as palm-trees are estimated. The Zakah is to be paid in raisins.﴿ Related by the Five Compilers of Hadith (Imams Ahmad, Abu Dawud, Al-Tirmidhy, Al-Nasa'iy and Ibn Majah).

It is also narrated on the authority of Sahl ibn Abu Hathma (may Allah be pleased with him) as a Hadith Marfu` (a Hadith narrated from the Prophet with a connected or disconnected chain of narration) that he said: ﴾When you estimate, take them and leave a third, and if you do not leave a third, then leave a quarter.﴿ Related by Abu Dawud, Al-Nasa'iy, Al-Tirmidhy and others. Besides, it has been reported on the authority of Mu`adh ibn Jabal (may Allah be pleased with him) that the Prophet (peace be upon him) said: ﴾No Zakah is due on vegetables.﴿ Related by Al-Tirmidhy and others.

Al-Darqutny narrated on the authority of `Aly and `Aishah (may Allah be pleased with them both) a Hadith bearing the same meaning. Al-Tirmidhy said: There is no Zakah due on vegetables as people of knowledge agreed on this. Al-Bayhaqy said: The said Hadith has different Sanad (chain of narrators)

which strengthen one another in addition to the sayings of the Sahabah (Companions of the Prophet). Al-Khattaby said that the Hadith: ﴾No Zakah is due on less than five Wasqs (1 Wasq = 60 Sa's =130,320 kg),﴿ is proof that Zakah is not due on vegetables. Rather it is due on what is measured and stored of grains and fruits unlike those which are not measured and stored of fruits and vegetables and the like. This is what scholars unanimously agreed upon.May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The Zakah (obligatory charity) for gold and silver is as follows:

The zakah on gold is obligatory when it reaches or exceeds the amount of 20 mithqal [approximately 85 grams of pure gold]. The zakah paid is half a mithqal. When the amount of silver you have reaches the value of 200 dirhams, which is 140 mithqal, five dirhams should be paid as zakah. This is based on what Allah (Exalted be He) says: ﴾And those who hoard up gold and silver [Al-Kanz: the money, the Zakât of which has not been paid] and spend them not in the Way of Allâh, announce unto them a painful torment.﴿ ﴾On the Day when that (Al-Kanz: money, gold and silver the Zakât of which has not been paid) will be heated in the Fire of Hell and with it will be branded their foreheads, their flanks, and their backs, (and it will be said unto them): "This is the treasure which you hoarded for yourselves. Now taste of what you used to hoard."﴿

Moreover, Abu Sa`id Al-Khudry (may Allah be pleased with him) narrated that the Messenger of Allah (peace be upon him) said: ﴾"No Zakah is due on less than five Uqiyyahs of silver (40 Dirhams of silver = 119 grams)."﴿ (Agreed upon by Al-Bukhari and Muslim). `Aly (may Allah be pleased with him) narrated that the Messenger of Allah (peace be upon him) said:

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﴾I have given exemption regarding horses and slaves [no Zakah upon them]. With regard to coins, however, you must pay a dirham for every forty (dirhams). Nothing is payable on one hundred and ninety. When the total reaches two hundred, five dirhams are payable.﴿ (Narrated by Ahmad, Abu Dawud and Al-Tirmidhy) In another narration, ﴾I have given exemption regarding [Zakah upon] horses and slaves, and no zakah is due on any amount less than two hundred (dirhams).﴿ (Narrated by Ahmad and Al-Nisa'iy)

Additionally, Jabir (may Allah be pleased with him) narrated that the Messenger of Allah (peace be upon him) said: ﴾No Zakah is due on less than five Uqiyyahs of silver (40 Dirhams of silver = 119 grams).﴿ (Narrated by Ahmad and Muslim)

It was narrated on the authority of `Aly (may Allah be pleased with him) from the Prophet (peace be upon him) that he said: ﴾When you possess two hundred dirhams and one year passes with the money in your control, five dirhams are payable. Nothing is incumbent on you, that is, on the gold, till it reaches twenty dinars. When you possess twenty dinars and one year passes with the dinars in your control, half a dinar is payable.﴿ (Narrated by Abu Dawud)

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Based on a Hadith Marfu` (a Hadith narrated from the Prophet with a connected or disconnected chain of narration) narrated by Abu Hurayrah (may Allah be pleased with him) that ﴾...One fifth is due [as Zakah] on Rikaz,﴿ (Agreed upon by Al-Bukhari and Muslim), a fifth of the Rikaz is payable. Rikaz means the hidden treasures buried in the time of the Jahiliyyah (pre-Islamic time of ignorance).

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There are different types of commercial commodities that are prepared for buying and selling. Zakah (obligatory charity) should be paid on them provided that their collective value reaches the Nisab (the minimum amount on which Zakah is due) of gold and silver and that their owner has the intention of using them for trade. The Zakah is due at the completion of the Hawl (one full year). It is to be estimated in terms of gold or silver; whichever achieves the interests of poor people in the best way. The origin of this is the saying of Allah (Exalted be He): ﴾O you who believe! Spend of the good things which you have (legally) earned﴿ meaning that they were earned through commerce as stated by Mujahid and others. Moreover, Al-Baydawy and other scholars mentioned that the phrase "Spend of the good things which you have (legally) earned" refers to the obligatory Zakah.

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Also, Allah (Exalted be He) says: ﴾And those in whose wealth there is a recognised right﴿ and commerce is included in the generality of wealth regarding which there is a right that was estimated by the Prophet (peace be upon him) which is a quarter of a tithe. Since the money of commerce is the most important form of wealth, it is more deserving to be included in the Ayah (Qur'anic verse) than any other kind of wealth. Moreover, it is reported on the authority of Samurah ibn Jundub (may Allah be pleased with him) who said: ﴾Allah's Messenger (peace be upon him) would order us to pay obligatory alms on what we prepared for trade.﴿ (Related by Abu Dawud).

In addition, `Umar said to Hamas: "Pay the Zakah of your money", whereupon Hamas replied: "I only have a quiver and some condiments". `Umar said: "Estimate their value and pay the Zakah." Imam Ahmad (may Allah be merciful with him) used this story as a supporting evidence.

Morover, it is narrated on the authority of Abu Hurayrah (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: ﴾As for Khalid, you wrong him for he confined his armors to be used only for sake of Allah.﴿ (Related by Al-Bukhari and Muslim). Al-Nawawy and other scholars are of the view that this Hadith signifies evidence for the obligation of Zakah

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on commercial commodities; otherwise, the Messenger of Allah (peace be upon him) would not have apologized on behalf of Khalid (may Allah be pleased with him).

However, there is a Hadith Marfu` (a Hadith narrated from the Prophet with a connected or disconnected chain of narration) related by Al-Bukhari and Muslim on the authority of Abu Hurayrah (may Allah be pleased with him) that the Prophet (peace be upon him) said: ﴾No Sadaqah (obligatory alms) is obligatory on Muslims for their slaves or horses.﴿ This Hadith is regarded by Al-Nawawy and other scholars as being evidence that no Zakah is due on personal possessions.

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Thirdly: conditions of Zakah

There are five prerequisites for Zakah: 1- Islam, 2- Freedom, 3- Possessing Nisab (the minimum amount on which Zakah is due), 4- Full ownership, and 5- Completing a full lunar year. Exceptions to this rulings are the outcome of the cultivated land as mentioned above, the offspring of cattle which are raised naturally and the profit of trade for their lunar month starts from their origin when it attains the Nisab of Zakah. If it does not attain the Nisab, then its lunar month starts when it attains the Nisab.May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

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Fourth: Legal avenues of spending Zakah

there are eight legal avenues for spending Zakah. These are mentioned in the Qur'anic Ayah (verse) in which Allah (Exalted be He) says: ﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allâh. And Allâh is All-Knower, All-Wise.﴾

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Ruling on Zakah

The Third Question of Fatwa no. 6147

Q3: what is the ruling on a man who testifies that there is no deity but Allah and offers the Salah (prayer), but does not pay the Zakah? As this person refuses to pay the Zakah, should Funeral Prayer be offered for them when they die?

A: Zakah is one of the pillars of Islam and if one gives it up, denying that it is obligatory, then its rulings should be explained to them. If however they still refuse to pay the Zakah, they are considered to be a disbeliever and after they die, Funeral Prayer should not be offered for them nor should they be buried in the Muslim graveyards. However, if one abandons paying Zakah out of miserliness while believing that it is a religious obligation, they will be committing a major sin, but they are not to be considered disbelievers. If they die in this case, their body should be washed and the Funeral Prayer should be offered for them, and Allah may punish or forgive them on the Day of Resurrection.

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The Sixth Question of Fatwa no. 5681

Q6: why is Zakah not due on one's property until it has remained in their possession for a full lunar year?

A: This shows the compassion and mercy of Islam to the wealthy. If people were obliged to pay Zakah on their property after less than a year, it might be difficult for them to pay, and the Zakah that is due might amount to more than the profits they earn.

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conditions of Zakah (the passing of a full lunar year)

The fourth question of Fatwa no. 8442

Q 4: My father used to pay the Zakah due on his money each year at the end of Ramadan. However, as he died before Ramadan, we do not know how to pay the Zakah. Some of us do not want to pay the Zakah on the money, claiming it is the heirs' money and no longer belongs to our deceased father. Others say that it should be paid on one third of the wealth which is the amount that our father had the right to bequest, while still others say that Zakah should be paid from the entire amount and then be subtracted from the third that was his right to bequest. Answer us, may Allah reward you!

A: Zakah only becomes due on property after the lapse of a full lunar year. Since your father died, his wealth belongs to the heirs and thus no Zakah is due on this money until a full lunar year passes, starting from the day when your father died. You are not required to pay Zakah on the third of the wealth that your father had the right to bequest.

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zakah on debts and owner-occupied property

Fatwa no. 2390

Q: I have approximately 100,000 riyals that I loaned to a man who is capable of paying them back to me. Also, I have a monthly salary of 4000 riyals that I use to provide for my family of ten people. I took out a governmental loan for 300,000 riyals in order to build a house. Currently, I live in this house and I cannot benefit by renting it out because I do not own any other place to live. Every year, I have to pay back 12,000 riyals to the government on the loan for building my house. Also, I own a piece of land valued at 50,000 riyals that the government granted to me after building the house. My question is: In light of my circumstances, is there any Zakah due on the money that I loaned out, or on the value of the land? The amount of the loan that I have to pay back yearly is more than the amount of Zakah that is due on my money. It should be noted however that I am capable of saving enough money from my salary to pay back my debt and in the past, I used to pay the Zakah as well, though I was facing the same conditions I am in now. However, at this time, I am seeking a legal Islamic opinion to make sure that I am fulfilling my obligations. May Allah bless you.

A: Firstly, Zakah is one of the pillars of Islam and should be paid with integrity by those Muslims upon whom it is obligatory to those who deserve it, hoping for Allah's reward and fearing His punishment. **Secondly,** you were correct to pay the Zakah despite the conditions you mentioned, and you must pay Zakah on the money

you lent to this man with the passing of each lunar year. **Thirdly,** Zakah is not due on the house you built to live in or on the land the government granted you unless you intend to sell this land and a lunar year has passed from the time you decided to sell it. **Fourthly,** the deposits you pay back to the development fund and the other conditions you mentioned do not exempt you from paying Zakah. You must continue paying the Zakah and may Allah reward you with the best reward, and compensate you. Allah (Glorified and Exalted be He) says: ﴾and whatsoever you spend of anything (in Allâh's Cause), He will replace it. And He is the Best of providers.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The Second Question of Fatwa no. 4650

Q2: I borrowed 300,000 riyals from the Real Estate Development Fund in order to reconstruct my house where my family and I live. Because I own part of the building, I receive some money as rent from it and I pay the Zakah due on this money every year. Please clarify whether I should subtract the loan from the amount of money upon which I pay Zakah,

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or whether the loan is not regarded as a debt and thus I must add it to the sum upon which Zakah is due. Please inform me what I should do to act accordingly.

A: The correct opinion of Muslim scholars is that it is irrelevant to the calculation of Zakah whether the money is from a debt or not. The Prophet (peace be upon him) used to send his representatives to collect the Zakah and estimate the amount of fruit to be paid in Zakah without ordering them to determine whether the people were in debt or not. Thus, you must pay the Zakah due on your property, including the money you borrowed from the fund.

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Fatwa no. 11612

Q: must a farmer pay Zakah on a harvest of grains if they take out a loan from an agricultural bank and the value of the harvest is not sufficient to pay back the loan or the installments that are due?

A: Zakah is due on grains, such as wheat and the like, if they reach the Nisab (the minimum amount on which Zakah is due). The Nisab for grains is 5 Wasq - and one Wasq equals 60 Sa`s (equal to 130,320 kg) - at the time of harvesting. Thus, if the harvest reaches this Nisab, the farmer must pay Zakah on it even if they are indebted to an agricultural bank or any other bank.

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

First question of Fatwa number 232

A person lends some of his money to some of his brothers and acquaintances. He may or may not get it back. He is asking whether he has to pay Zakah (obligatory charity) on it.

A: If the debtor is rich and the loan is a Nisab (the minimum amount on which Zakah is due), or when added to his money he would have the amount up to the Nisab, he must pay Zakah on it when he gets the money back for the years passed, whether it is a year or more. If he pays the Zakah on it before he gets it, that is fine. If the person who owes the money is not rich, he should pay zakah one year after he gets the money, even if years passed. This is one opinion reported from Imam Ahmad. It is also the opinion of Malik and of Shaykh `Abdul-Rahman ibn Hasan who said, "This opinion is preferred by Shaykh Muhammad ibn `Abdul-Wahhab (may Allah confer mercy upon him).

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(Part No. 9; Page No. 191)

The fifth question of Fatwa no. 9069

Q 5: What is the ruling on the Zakah due on the debt of an insolvent person, who is unable to repay the debt for many years? What is the ruling on the Zakah due on the debt of a solvent person who delays repaying their debt? Also, what is the ruling on the debt which remains in a solvent person's possession for one lunar year and they have the intention to repay it?

A: There is no Zakah due on the creditor if the debtor delays repaying their debt, whether they are insolvent or solvent, if the creditor cannot get their money back either due to lack of documentation or because the authorities do not assist them in getting their money back - as happens in some countries. In such cases, the creditor is not obligated to pay Zakah until they receive their money and own it for one lunar year. On the other hand, if the debtor is solvent and can repay the debt, then Zakah is due on the creditor for each lunar year that passes if the debt itself reaches the Nisab (the minimum amount on which Zakah is due) or when combined with the other money or goods the creditor owns.

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The second question of Fatwa no. 10611

Q 2: I gave my sister in Kuwait 2500 riyals to keep for me until any time that I might need them. Also, two months ago, I got another sum of 1500 riyals. Two years have passed since I entrusted the money to my sister. I paid the Zakah due on it for the first year. However, my question is: Must I pay Zakah on the money I entrusted to my sister as well as on the other sum I have? It should be noted that I have only had the 1500 riyals for two months. What is the ruling on this?

A: You must pay Zakah on the money that remains in your possession for one full lunar year if it reaches the Nisaab (the minimum amount on which Zakah is due). On the other hand, Zakah is not due on the money you have had for two months, but if you pay Zakah on it along with the other amount of money, this is better and more beneficial to the poor.

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The Second Question of fatwa no. 5258

Q2: i sold a mud brick house for 100,000 riyals to be paid in installments over 10 years. Each year i am paid 10,000 riyals. How should i calculate the Zakah that is due on this money? May Allah reward you greatly for answering my question!

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A: Zakah is due on the entire aforementioned sum if a year has passed since the time you sold the house. You must pay the Zakah on the total amount at the end of each lunar year regardless of the fact that it is being paid to you in installments over 10 years. This is because it was your choice to collect the money in this manner according to what was in your best interest.

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 11497

Q: someone took a 100,000 riyal loan from another person, but has not yet repaid it. As the time to pay Zakah becomes due, who has to pay it; the creditor or the debtor? Someone else borrowed money from an agricultural bank on credit for the purpose of setting up industrial, agricultural, housing or poultry projects. Is Zakah due on the money he borrowed? If Zakah is due on it, who should pay it; the agricultural bank or the borrower?

A: The creditor should pay Zakah for the loan he lends provided that the debtor is known to be solvent, a full lunar year has elapsed and the debt reaches the prescribed Nisab (the minimum amount on which Zakah is due) whether the money is enough to pay Zakah or another sum is added to it.

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The debtor is not obliged to pay Zakah for the money he has borrowed unless three conditions are met. First, the money should reach the prescribed Nisab. Second, a full lunar year should elapse. Third, the money should remain in the debtor's possession. Once these conditions are fulfilled, the debtor is obliged to pay Zakah.

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Fatwa no. 13564

Q: If I sell a car on a deferred loan basis and the duration of the loan is three years or more, must I pay Zakah for every year, or just for one year after receiving payment? Please answer my question to benefit many other Muslims in similar situations and may Allah reward you the best.

A: zakah is due on deferred loans if a year passes and the loan reaches the Nisab (the minimum amount on which Zakah is due) by itself or when combined with other money or commercial commodity that one possesses.

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 12096

Q: I have many debts, and I have a farm and we are now harvesting the fruit. Am I required to pay Zakah on the harvested fruit or am I released from this obligation to be able to repay my debts? Some people owe me some money, on which I have paid Zakah for two years. Due to the bad financial conditions of the debtors, is it permissible for me to deduct the Zakah I have paid from the sum of their debt? In other words, is it permissible for me to deduct part of their debt and consider it as the Zakah which I am obligated to pay or should I pay Zakah from the money in my possession? Answer me, may Allah reward you the best!

A: Firstly, Zakah is due on grains and fruits that provide nourishment, if they reach the Nisab (the minimum amount on which Zakah is due), which is 300 Sa` (1 Sa` = 2.172 kg) according to the Sa` of the Prophet (peace be upon him). The Zakah would then be one-tenth of the harvest if the land is irrigated without any expenditure, and half of one-tenth (i.e. one-twentieth or 5%) of the harvest if the irrigation involves expenditure. In addition, being indebted does not exempt you from paying Zakah.

Secondly, it is not permissible for someone who is obliged to pay Zakah to be deceptive in paying it by deducting it from a debt which another owes them; as Zakah is meant to purify wealth.

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zakah should be paid in its same kind

Fatwa no. 12563

Q: Is it permissible to pay Zakah in cash, wheat, rice, or any type of grain? Is it permissible to pay Zakah in cash? Does Zakah have to be paid on the money that is used in business? If so, how much should be paid as Zakah? May Allah guide you to do what is good for Islam and Muslims!

A: Anyone who owns any wealth should pay the Zakah on the items in kind. Thus, Zakah on cash should be paid in cash, Zakah on wheat should be paid in wheat, Zakah on rice should be paid in rice, and Zakah on dates should be paid in dates, and so on.

Zakah is due on the money used for business, if it reaches the Nisab (the minimum on which Zakah is due) by itself or when combined with other money or commercial commodities owned by the same person, provided that it has been in its owner's possession for a lunar year. The Zakah due on this is 2.5% to be paid in cash.

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Calculating the Zakah due on Gold and Silver

The Fourth Question of Fatwa no. 4352

Q4: How should we pay the Zakah on our wealth? The Shari`ah (Islamic Law) mentions dirhams and states that Zakah is obligatory on anyone who has 200 silver dirhams or more. These 200 silver dirhams are much more than 200 French francs, so how do we know how much Zakah we have to pay in francs?

A: the way to calculate the Nisab (the minimum amount on which Zakah is due) is to weigh the French silver coins that you have and if they are equal to more than one hundred and forty Mithqals (1 Mithqal = 4.68 grams), they will have reached the Nisab. You should then calculate the value of the Nisab according to the paper money used today and pay 2.5% of the value in Zakah. According to this, the amount of Zakah that is due on 1,000 francs will be 25 francs.

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(Part No. 9; Page No. 198)

The Fourth Question of Fatwa no. 5082

Q4: Some scholars say that the Nisab (the minimum amount on which Zakah is due) on wealth is 56 Saudi riyals. Other scholars say this Nisab was decided upon when people had little wealth, but now the value of gold and silver has changed. It is worth noting that the 56 riyals of the past is now equal to about 2,000 riyals. What is the ruling on this issue?

A: Allah (Exalted be He) sent His Messenger Muhammad (peace be upon him) with the guidance and the true religion. He made His Shari`ah (Islamic Law) suitable for all people, and perfect and eternal until the Day of Resurrection. Allah (Glorified be He) is All-Knowing of what was and what will be and the changes in the conditions of people, the value of money, and people's need for money and their benefit from it until the Day of Judgment. It is Allah (Glorified be He) Who revealed to His Messenger (peace be upon him) how to define the Nisab of Zakah on wealth, and how much should be given to those who have a right to it. As Allah says in the Qur'an: ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴿ So if the Nisab and the amount of money paid as Zakah changed with the change in time, people's conditions, and the value of money, Allah (Glorified be He) would have explained this and revealed the different rules to suit these conditions to His Messenger (peace be upon him)

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out of mercy to His Servants; but he did not do this, and He is the All-Wise, the Most Compassionate, and Merciful. This shows that the Nisab of Zakah, the amount of money paid as Zakah and the recipients of Zakah, as defined by the Shari`ah, will not change with the passage of time until the Day of Resurrection.

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zakah on saved money and the way to pay it according to the Sunnah

The sixth question of Fatwa no. (9410)

Q 6: I have deposited my money in an Islamic Bank, and some of it is entrusted in a savings account, and the rest is in a deposit account. When distributing the profits of the deposit account, they are transferred to the savings account. Accordingly, should I pay Zakah on the sum that exists in the savings account only or on the sums in both accounts? How should the zakah be paid? Should it be paid upon the completion of one Hijri year? As I pay it every year according to the Gregorian calendar, as the Islamic bank distributes the profits at the end of every Gregorian year.

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A: It is impermissible to deposit money in banks that offer interest, for this is part of the prohibited Riba (Usury). Zakah is due on all deposited and non-deposited money when it reaches the Nisab (the minimum amount on which Zakah is due) after attaining a year, whether the Nisab consists of money only or of money and commercial commodities collectively.

The accredited calendar is the Hirji calendar, and the lunar months, because the Gregorian calendar is not considered, and neither are the non-lunar months.

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(Part No. 9; Page No. 201)

Zakah on Livestock

(Part No. 9; Page No. 202)

zakah on Camels

Fatwa no. 1802

Q: There are some Bedouins who do not pay Zakah on their working camels, i.e. the camels they use to carry their belongings. We referred to reliable sources about this and could not find any exception for camels, because it is said that there is Zakah due on every five camels. There is no doubt that our words will be in vain unless they are supported by some text from the Qur'an or the Hadith of the Messenger (peace be upon him). Is there any evidence in the Qur'an or Sunnah (whatever is reported from the Prophet)? Please answer us, may Allah reward you greatly!

A: Muslim scholars have agreed that Zakah is obligatory on camels, cattle, and sheep that are used as livestock and reach the Nisab (the minimum amount on which Zakah is due), which is five for camels, thirty for cows, and forty for sheep. Livestock refers to animals that graze in the open, as opposed to those that are stall-fed or working animals on which scholars differ about the obligation of paying Zakah. Most of the scholars believe that there is no Zakah due on stall-fed or working animals, as is related by Ahmad, Al-Nasa'iy, and Abu Dawud from Bahz Ibn Hakim from his father from his grandfather who said: ﴾I heard the Messenger of Allah (may peace be upon him) saying, "For every forty grazing camels, one Bint Labun (a two-year-old she-camel) is to be given (as Zakah) ..."﴿ This Hadith made Zakah obligatory on the camels that are grazing freely, not for the stall-fed ones. As for the working animals,

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we apply the Hadith related on the authority of `Aly (may Allah be pleased with him) who narrated that the Prophet (peace be upon him) said, ﴾No Zakah is payable on working animals.﴿ Malik and a group of other scholars were of the opinion that Zakah is obligatory on stall-fed and working livestock, based on general evidence related by Al-Bukhari from Anas Ibn Malik who said that Abu Bakr Al-Siddiq (may Allah be pleased with them) ﴾wrote him the following words when he sent him to (collect the Zakah from) Bahrain:

In the Name of Allah, the Beneficent, the Merciful. These are the orders for the Zakah that the Messenger of Allah (peace be upon him) made obligatory on every Muslim, and which Allah ordered

His Messenger (peace be upon him) to observe. Any Muslim who is asked to pay it should pay it and any Muslim who is asked for more than this should not pay it. If there are twenty-four camels or less, one sheep is to be paid for every five camels; between twenty-five to thirty-five camels, one Bint Makhad (a one-year-old she-camel) is to be paid, and if not, Ibn Labun (a one-year-old he-camel) is to be paid; and if they are between thirty-six to forty-five, one Bint Labun (a two-year-old she-camel) is to be paid; and if they are between forty-six to sixty, one Hiqqah (a three-year-old she-camel) which is ready to mate is to be paid; and if the number is between sixty-one to seventy-five, one Jadh'ah (a four-year-old she-camel) is to be paid; and if the number is between seventy-six to ninety, two Bint Labun are to be paid; and if they are from ninety-one to one-hundred-and twenty, two Hiqqah which are ready to mate are to be paid; and if there are over one-hundred and-twenty, for every forty (over one-hundred-and-twenty) one Bint Labun is to be paid, and for every fifty camels (over one-hundred-and-twenty) one Hiqqah is to be paid; and any Muslim who has only four camels, has to pay no Zakah, but if the owner of these four camels wants to give something, they can...) This Hadith does not refer to grazing animals. Thus, the sound opinion is that of the majority of scholars, as the Hadith narrated by Anas

includes an absolute ruling while the two Hadith narrated by Bahz and `Aly include a restricted ruling and the famous juristic rule says: "The absolute ruling overcomes the restricted ruling."

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The first question of Fatwa number 10294

Q: I had 43 sheep when the Zakah collectors began collecting the Zakah. Then, when they came to me my sheep had become 33 sheep and the rest of them had died out of an illness. What is the ruling on the Zakah (obligatory charity) of the sheep? Should I pay complete Zakah?

A 1: If the grazing sheep reach the Nisab (the minimum amount on which Zakah is due) and are kept for a full lunar year, Zakah becomes obligatory on them, even if they die before the Zakah collectors come. If the sheep grow less before the elapse of a full lunar year and fell short to reach the Nisab, then there is no Zakah due on them.

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The Second Question of Fatwa no. 4862

Q2: The amount of cows and sheep we have is above the Nisab (minimum amount on which Zakah is due). We buy all the food that these animals eat, so do we have to pay Zakah on these animals? If so, how much? Is Zakah due on rent from property rented to others, such as houses to tenants, if the landlord uses the income gained from the rent in his business, on which he pays Zakah every year?

A: Firstly, if these cows and sheep are intended for sale, Zakah is due on them a lunar year from the time the owner intends to sell them. If the animals are bought to be sold, the Zakah is due a lunar year from the time the owner has the money he will use to buy the animals, and the Zakah is calculated as for commercial commodities. However, if the animals are not intended to be sold, there is no Zakah due on them, because one of the conditions that makes Zakah obligatory on camels, cows, and sheep, is that they must be grazing freely.

Secondly, Zakah is due on a building's rental if it is kept for a lunar year and reaches the Nisab.

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The first question of Fatwa no. 12370

Q 1: We have camels, sheep, cows, and different types of birds on our farm that we raise for personal use, not for sale. We sometimes sell some of those that are of no use, such as the old ones. It should be mentioned that these animals never graze freely, but they eat the provender we buy for them from the market or the farm produce. Is Zakah due on these animals and birds?

A: no Zakah is due on livestock, such as cows, camels, and sheep, or birds that are raised as property or for eating and not for sale, as long as they are not grazing freely and not for sale.

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Giving Zakah in cash instead of Livestock

The First and Second Questions of Fatwa no. 1831

Q1: What is the ruling on what some people say that paying the value of animals instead of giving animals as Zakah is permissible?

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A: The Prophet (peace be upon him) showed, in the long Hadith related by Anas and others, that Zakah paid on livestock is preferable to be taken from them according to the Nisab (the minimum amount on which Zakah is due) given in the Hadith and the letter written by Abu Bakr (may Allah be pleased with him) stating that these are the orders for the Zakah that the Messenger of Allah (peace be upon him) made obligatory on every Muslim and which Allah stipulated.

The sound opinion is that a Muslim should not pay the value of sheep as Zakah. The obligatory numbers of animals to be estimated as Zakah from the Nisab of livestock mentioned in the letter of Abu Bakr confirm that the value of the animals should not be given as Zakah, otherwise those numbers would be purposeless. Allah (Glorified be He) says: ﴾And whatsoever the Messenger (Muhammad صلى الله عليه وسلم) gives you, take it; and whatsoever he forbids you, abstain (from it).﴿ The Messenger of Allah (peace be upon him) said, ﴾"Anyone who does something that we have not ordered (in worship) it will be rejected."﴿ However, if a ruler of a Muslim country decides to collect the value of animals as Zakah for a legitimate reason, it is permissible for the people to give the value of animals to the Zakah collectors instead.

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Q2: is it permissible for a ruler to exempt some people from paying Zakah?

A: Zakah is imposed by Allah on Muslims according to the Qur'an, the Hadith, and the consensus of Muslim scholars. It is Allah alone who ordained the rulings pertaining to Zakah and it is not permissible for a ruler to exempt any person upon whom Zakah is obligatory from paying it. In this case,

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a Muslim should not obey the ruler in abandoning one of the pillars of Islam. Instead, they should fight those who forbid paying the Zakah. If the ruler lets those who are obliged to pay Zakah collect and distribute it, they should do so and should pay the Zakah to those who deserve it.

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Fatwa no. 4854

Q: I had 15 camels, and a lunar year passed without paying the obligatory Zakah on them. After this, all the camels were lost, and now I do not have any of them. I do not know whether I should expiate for not having paid the Zakah or not. May Allah reward you, please tell me what to do.

A: If the reality is as you mentioned, it is obligatory for you to pay the Zakah on the camels. The amount of Zakah due on them is three sheep for each year if they were grazing freely all the year or most of it. You should pay this amount of Zakah as soon as possible, hoping for Allah's rewarded and fearing His Punishment, after which, you should repent to Allah and invoke Him to forgive you for delaying paying the Zakah.

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Fatwa No. 3646

Q: what is the ruling on a person who should pay three Bint Labun (a two-year-old she-camel) as Zakah but he paid one Haqqah (a three-year-old she-camel) and one Bint Labun (a two-year-old she-camel)? Is this sufficient for him, taking into account that the number of Bint Labun is abundant in his camels? Another person has to pay two Haqqah but he paid two Bint Labun and one Haqqah instead, will this be sufficient although the number of Haqqah is abundant in his camels?

A: It is obligatory that the person who pays Zakah pay the prescribed Zakah for Sa'imah (cattles raised up naturally) and it should not be changed unless he no longer has it because of the Hadith narrated by Anas (may Allah be pleased with him) in Sahih Al-Bukhari. If the situation is as you have mentioned, then the person who paid one Haqqah and one Bint Labun instead of three Bint Labun should pay another Bint Labun and the Haqqah will be sufficient for the second Bint Labun because it is higher in rank. The person who paid two Bint Labun and one Haqqah instead of two Haqqah should pay the difference in value between the value of the Haqqah and the value of the two Bint Labun if their value is less than the value of the medium Haqqah.

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Zakah on Cows

Fatwa no. 971

Q: A man owns twenty cows as an investment to sell their milk in the market. He wants to know if Zakah is due on these cows.

A: If the cows are not intended to be sold, then no Zakah is due on them, unless they meet two conditions:

Firstly, if they are grazing freely.

Secondly, if they reach the Nisab (the minimum amount on which Zakah is due), and the Nisab for cows is thirty. If the cows are intended for sale, Zakah is due on them when they reach the Nisab or are more than that. As the question shows, the man owns twenty cows that are not grazing freely and they are bought as an investment, not for sale. If that is the situation, then no Zakah is due on these cows. However, Zakah is due on the income from the milk if it reaches the Nisab and he keeps it for a lunar year.

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Zakah on sheep

Fatwa number 31

Q: If a person has 200 sheep, what is the Zakah (obligatory charity) on them if they become 201-299? If he has 300 sheep, what is the Zakah on them, if they become 301-399? What is meant by Waqs in sheep? How is the obligatory Zakah established in sheep?

A 1: The Zakah due on 200 sheep is 2 sheep; if they become 201 sheep, the Zakah is 3 sheep and if they increase to 399, only 3 sheep are required. If they become 400, the Zakah is only 4 sheep. Hence, the due Zakah is established; 1 sheep for every 100 sheep. As for Waqs, it refers to the number of sheep between two Nisabs of Zakah such as the number of sheep between 40 and 121, 121 and 201, and 201 and 400 sheep.

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Q 2: if i buy 30 sheep, then they reproduce before one lunar year elapses, should i pay Zakah for them or not?

A: If someone owns a property that is less than the Nisab (the minimum amount on which Zakah is due) for example 30 flock of sheep which later increases through reproduction

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before they remain for one year, Zakah is payable upon them one year after they reach the Nisab according to opinion of the Jumhur (dominant majority of scholars) that is commonly acted upon. But Malik had a different opinion saying: If they attain the Nisab, that is 40 sheep during the lunar year, one sheep is to be paid as Zakah upon them. The year of paying Zakah upon the progeny depends on the year of paying Zakah upon the original sheep. So, Zakah is payable upon them and this opinion was also reported from Imam Ahmad.

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Q 3: a man who owns some camels sells one of them in return for 40 sheep. When the sheep are delivered, the Zakah (obligatory charity) collector asked him to pay Zakah for these sheep even though a year had not passed since he took possession of them. Is Zakah payable where there are forty sheep and a year has not passed since they came into a person's possessed?

A: If the man has the value of camels which reaches the Nisab (the minimum amount on which Zakah is due), which is one fifth of the price of camels, then he sells one of them in return for 40 sheep before one year passes with the camels in his control, paying Zakah depends on his intention when he did this act. If he does so to wangle his way out of paying the Zakah of the camels and to begin a new year for the sheep starting from the delivery date, he is obliged to pay the Zakah which is one sheep according to the said amount of sheeps he owns as a way of Sadd-ul-Dhara'i` (blocking the means leading to sins), penalizing him for his ill intention and punishing whoever acts fraudulently in religious issues. The Prophet (peace be upon him) said: ("Separated properties should not be joined nor joined properties be separated for fear of (having to pay more) Zakah.") On the other hand, if he does so intending to increase his wealth [trading], and not to escape the obligation of paying the due Zakah, there will be no Zakah on the camels due to the lack of Nisab nor on the sheep

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because they have been in his possession for less than one year.

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The first question of Fatwa no. 10705

Q 1: i am fifteen years old and i am not married. i have sheep, so i would like to know if i should pay Zakah on them?

A: You should pay Zakah on sheep that graze freely, if they amount to forty or more and you have owned them for at least one year. Their Zakah is only one sheep, until they reach the amount of a hundred and twenty sheep. Once they reach this number, their Zakah is two sheep if they are grazing freely for all or most of the year.

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The first question of Fatwa no. 11269

Q 1: i own 200 sheep and I pay the Zakah due on them every year. However, I have started to spend money to buy barley as fodder for them - all praise be to Allah -

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as the land is dry due to the lack of rain. The sheep only leave the pen to drink then return to it. Is my Zakah correct; is it still due on them? I have been stall-feeding them since 1403 AH until 1408 AH. In addition, when the sheep go out of the pens, they do not eat any grass, green or dried. Please answer me, as I am confused about this matter. Some people have told me that Zakah is due on my sheep, and I am afraid I will be called to account by Allah for not paying Zakah on my wealth.

A: Firstly, if you raise the sheep for sale, you must pay the Zakah on commercial commodities. Thus, you should calculate the value of the sheep and pay 2.5% as Zakah on them at the end of the year.

Secondly, if you raise the sheep for milk and reproduction and they are not grazing freely for most of a lunar year, then no Zakah is due on them.

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paying Zakah on Shared Livestock

The fourth question of Fatwa no. 6435

Q 4: Some wealthy people buy herds of cattle and share them with others, who take care of them on their land. Who must pay Zakah on these cattle?

A: It is the owners of the cattle who must pay the Zakah on them and not those who take care of them in return for some of the produce, such as the milk or wool, or young.

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Zakah on horses

Fatwa no. 7276

Q: Some wealthy people buy pure-bred, expensive horses which might cost thousands of dinars a horse, for the purpose of joining horse races and winning prizes. Is Zakah (obligatory charity) due on

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these horses? What is their Nisab (the minimum amount on which Zakah is due)?

A: If the case is as you have mentioned, that they are bought for keeping, not trading in them, there is no Zakah due on them, as the Prophet (peace be upon him) said: (No Zakah is due on the slave or the horse of a Muslim.) (Agreed upon its authenticity by Al-Bukhari and Muslim). It was authentically reported that Allah's Messenger (peace be upon him) said: (A horse may be kept for one of three purposes: for a man it may be a source of reward; for another it may be a means of living; and for a third it may be a burden (a source of committing sins). As for the one for whom it is a source of reward, he is the one who keeps his horse for the sake of Jihad (fighting in the Cause of Allah); he ties it with a long rope on a pasture or in a garden, and whatever its rope allows it to eat will be regarded as good rewardable deeds (for its owner). If it breaks off its rope and jumps over one or two hillocks, even its dung will be considered amongst his good deeds. If it passes by a river and drinks water from it, that will be considered as good deeds (for the owner) even if he had no intention of watering it. A horse is a shelter for the one who keeps it so that he may earn his living honestly and takes it as a refuge to keep him from following illegal ways (of gaining money), provided that he does not forget the rights of Allah (i.e. paying the Zakah and allowing others to use it in the Cause of Allah). A horse may be also a burden (and a source of committing sins) for a person who keeps it out of pride and pretense, and with the intention of harming the Muslims.)

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Zakah on Rabbits

The second question of Fatwa no. 13703

Q 2: How should I pay Zakah on rabbits if I buy, breed and sell them?

A: zakah is due on rabbits that are used in trade if their value reaches the Nisab (the minimum amount on which Zakah is due) on their own or by being added to other objects on which Zakah is due and after a year passes. One quarter of a tenth should be paid, just like other commercial comodities.

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Zakah on grains and fruits

The second question of Fatwa no. 1774

Q 2: What is the minimum possible Nisab (the minimum amount on which Zakah is due) on grains, rice and so on? How much of them should be given for a person who deserves Zakah (obligatory charity)?

A: Nisab of Zakah on grains such as wheat, barley, corn, and rice is five Wasqs (1 Wasq = 60 Sa`s =130,320 kg), where a Sa` is equal to four Mudds (a dry measure of half bushel, 543 grams) according to the measuring of the Prophet (peace be upon him), and it is also equal to four hundred and eighty Mithqals (1 Mithqal = 4.25 grams), which is estimated at four handfuls with both hands. The amount of Zakah that should be paid is one tithe for land that is irrigated by rain and springs without machines, and half a tithe for land that is irrigated by machines, whether by camels or other means.

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First, second and third questions from Fatwa No. 4499

Q 1: What is the amount of Zakah (obligatory charity) on a farmland that is irrigated by machines?

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Q 2: Should Zakah be paid upon this farmland after calculating the expenses or before it?

A: Zakah upon grains and fruits should be paid if they attain the Nisab (the minimum amount on which Zakah is due) regardless of the expenses spent on them. When he ordered the employees responsible for collecting Zakah to calculate Zakah upon people's fruits, the Prophet (peace be upon him) did not ask them about the expenses spent on them.

The amount of Zakah to be paid on the crops of the farms irrigated with machines is 2.5 % and on the farms irrigated with rainwater and river water where no tools are used is 10 %.

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Q 3: Should the same amount of Zakah be paid on every kind of crop, such as cotton? How much Zakah is due on fruit, such as grapes, oranges and lemons?

A: Zakah on dates and grains should be paid in the following way: half a tithe on machine-irrigated land, and one tithe on land that is irrigated by rain and rivers. Grapes take the same ruling as dates, and their Zakah should be given in the form of raisins, just like the Zakah on fresh dates is given in the form of dry dates. If it is sold before giving Zakah, it should be paid in the form of money. There is no Zakah on any other kind of crops, but on their value if they are kept for a Hawl (one lunar year) and they reach the Nisab (the minimum amount on which Zakah is due), whether on their own or by being added to other money or commercial commodities of their owner.

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Sa` as was used by the Messenger (peace be upon him)

Third question of Fatwa No 1241

Q 3: What was the amount of a Sa` in handfuls as was used by the Messenger (peace be upon him)?

A: What has been verified for us regarding the Prophetic Sa` is that it is four handfuls of a moderate-sized man. This is what was mentioned by some Muslim scholars such as Ibn Al-Athir in his book Al-Nihayah and Al-Fayruzabady in his book Al-Qamus. As for the Sa`s which we find in markets or Masjids (mosques), as mentioned by the questioner, they differ regarding their quantity. Thus, the estimation of a Sa` should rely on what was mentioned by scholars as explained earlier and Allah knows best.

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zakah (obligatory charity) on grains

Third question from Fatwa No. 10910

Q 3: A farmer grows barley or wheat and after harvest, he sells it. Who should pay Zakah?

A farmer plants barely or wheat and when it grows, he sells it. Who should pay Zakah?

A farmer grows barley or wheat and lets sheep graze on it, should he pay Zakah? If not, who should pay it?

A: As for the first case, Zakah is due on the seller, while in the second one there is no Zakah at the time of selling. Lastly, there is no due Zakah unless there are some grains left in the cultivated land, and as such, they should be left until they are ripe and reach the amount of Nisab (the minimum amount on which Zakah is due) and by that time the owner of the land should pay the due Zakah.

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Zakah on palm trees planted at home and Al-Barhah (a kind of date-palm trees distinguished for its sweet dates)

The first and second questions of Fatwa no. 13502

Q 1: a number of date palms are planted in our houses in Al-Qassim district. The amount of dates exceeds the prescribed Nisab (the minimum amount on which Zakah is due). While in some houses, these trees are irrigated by drinking water, in other houses they are irrigated by means of machines. An amount of these dates is eaten, another distributed to relatives and a third stored. No Zakah is paid for these dates. Please tell us whether Zakah is due or not.

A: If the reality is as you mentioned, Zakah is due at a rate of half the tenth of the dates (5%) because the trees are irrigated by means of a machine.

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Q 2: Sometimes the dates of Barhy palms exceed the Nisab (the minimum amount on which Zakah is due) and some people like to eat unripe dates. Therefore, should we give its Zakah and distribute it to the poor as unripe dates or should we leave it until it ripens and give Zakah as ripe dates? Could you kindly advise us in this regard?

A: It is permissible to give Zakah as unripe dates from the palm trees of Al-Barhi and suchlike because it is edible.

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Fatwa no. (13218)

Q: I hope that you would be able to provide me with an answer regarding the amount of Zakah (Obligatory charity) that must be paid on crops. Should I include the value of the equipment (used in agriculture) for the first year only, or for every year that i estimate it?

A: Zakah is obligatory on all that is eatable of fruits and seeds when they reach [in amount] the Nisab (the minimum amount on which Zakah is due), which is five Wasaqs. Every Wasaq is equal to sixty Sa`s (one Sa` =2.172 kg) like the Sa` of the Prophet (peace be upon him). The Zakah should be paid upon yielding and harvesting the crops. However, there is no Zakah on the equipment that is used in agriculture, nor on their value, for they are purchased for operation purposes.

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Third question from Fatwa No. 8666

Q 3: is Zakah (obligatory charity) required on grains stored for years, knowing that I paid the due Zakah at the time of harvest? Is there any other kind of Zakah required on these grains?

A 3: If the case is so, if you store grains for trade, then Zakah will be due after the passing of one lunar year from the date you intended, just like other trade goods. The due Zakah is one-quarter of one-tenth of its value, otherwise,

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there is no due Zakah after the Zakah has been paid on harvest.

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Zakah (obligatory charity) on honey

Fatwa No. 4195

Q: should Zakah be paid on honey which is produced by bees?

A: No Zakah is due on honey that is produced by bees. Nevertheless, Zakah is due on the value of the honey if it is prepared for selling, a full lunar year passes, and its value reaches the Nisab (the minimum amount on which Zakah is due). The amount of Zakah on honey in the case mentioned above is a quarter of a tithe.

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zakah on a joint farm

Fatwa No. 8386

Q: I have a farm which I rent to a farmer in return for half of the crops. I assume all the expenses such as the cost of the car, plowing, fertilizers, machines, fuel and seeds. Praise be to Allah, we earn a lot. I have recorded the money I earned since 1/1/1403 A.H. to 30/12/1403 then calculated my profits and paid 2.5 % of it as Zakah to the needy people. However, I do not deduct the expenses of the purchased goods from the total profits nor save money for the end of the year as my job is another source of income for me and things are getting better, Praise be to Allah. I have not calculated Zakah upon the share of the farmer. In fact, I calculate Zakah only upon my own share. What is your view on that, may Allah reward you with the best! It should be noted that we do not run the farm for business. I just inherited it from my father. It is a small farm irrigated by a machine. We pay Zakah on grains and fruits and on the money that comes out of selling legumes and vegetables and the like. I appreciate your advice.

A: You have to pay Zakah upon grains and fruits i.e. upon dried dates and grapes if they reach the Nisab (the minimum amount on which Zakah is due). Their Nisab is five Wasqs (1 Wasq = 60 Sa`s =130,320 kg) approximately 300 Sa` of the measure of Madinah. A Sa` is about four handfuls with two open palms of hands.

The amount to be paid as Zakah is half of one tenth out of the total weight of the crop i.e., 50 kg out of every 1000 kg. As for Zakah on money, it is as you have mentioned 2.5 % of the total. As for your partner, it is he who should pay its Zakah when it reaches the Nisab.

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Second question from Fatwa No. 12796

Q 2: We have a cultivated land where we grow corn, barley, and pearl millets. Thanks to Allah, the harvest is always abundant with much grains and vegetation. What is the Zakah required on these grains, knowing that the land is basically watered by rain?

A: It is obligatory to pay Zakah on grains such as corn, barley, pearl millets, and the like, if they reach the Nisab (the minimum amount on which Zakah is due) which equals five Wasaq i.e. 60 Sa`s (30, 320 kg) of the Sa` (1 Sa` = 2.172 kg) of the Prophet (peace be upon him). The estimated Zakah is one-tenth of the outcome as long as the land is irrigated by rain.

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zakah (obligatory charity) on grapes

First question of Fatwa No. 9884

Q 1: I have a grape farm for which I pay the same costs which are usually paid by all other farmers such as the costs of irrigation, wood, fertilizers, and workers. Should I then pay Zakah on the grapes bearing in mind that I sell them fresh at the market without being processed to raisins. If Zakah should be paid on the grapes; how and when should this be done? Should it be paid out of the grapes themselves or is it the value that should be paid? What is the percentage that should be given in Zakah?

A: Zakah is obligatory on grapes when they reach the Nisab (the minimum amount on which Zakah is due) which is five Wasaqs (1 Wasaq = 60 Sa`s =130,320 kg). Thus, half a tithe of the grapes should be given in Zakah or the value thereof if they are sold. The foregoing applies when the crops are irrigated by machines, waterwheels, and watering pots. However, if the irrigation relies on rain and rivers, and there is no cost; one full tithe is due.

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Fatwa no. (10230)

Q: I own a farm in Al-Nakhil district in the suburbs of Al-Madinah Al-Munawwarah. The farm is rich in grape crops Al-Hamdullilah (Praise be to Allah), but we find some difficulty in distributing them throughout the cities of the Kingdom of Saudi Arabia like Jeddah, Riyadh and other areas. My question is: How much Zakah (Obligatory charity) should be paid on the crops knowing that some farmers hire laborers, vehicles and drivers to collect and distribute them? should the Zakah be paid after subtracting their wages, or should it be paid on the crop? Please keep in mind that the government sends employees who estimate the grape crops every year, but most of the farmers do not count on them, for sometimes they over or under estimate. Would the farmer be discharged [in front of Allah] on paying the estimated value? Farmers have asked some people of knowledge about this, and they replied that there is no Zakah on grapes for they belong to the category of crops that are not saved [they are consumed] and so are to be treated like other fruit and vegetables such as tomatoes and watermelons. Please advise us on the answer with details. May Allah render you supportive to knowledge and those who seek it.

A: First, it is obligatory to pay half of one tenth of the value of crops on attaining the Nisab (the minimum amount on which Zakah is due), which is Five Wasqs whereas one Wasq equals sixty Sa`s (one Sa` equals = 2.172 kg) like the Sa` of the Prophet (peace be upon him). **Second,** Zakah is to be paid on the value of the crops in the country where they are cultivated before paying the wages of laborers who are employed to grow and market them. **Third,** the Fatwa (Legal opinion issued by a qualified Muslim Scholar) that was issued declaring that there is no Zakah on grape crops is not a

valid Fatwa.

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First question from Fatwa No. 10947

Q 1: Are grapes subject to Zakah (obligatory charity)?

A: zakah is due on grapes when it matures and reaches Nisab (the minimum amount on which Zakah is due) which equals five Wasaq and one Wasaq equals 60 Sa`s (30,320 kg) of the Sa` of the Prophet (peace be upon him). The due Zakah is to be paid in raisins, for the Hadith related by Abu Dawud on the authority of `Attab ibn Usayd (may Allah be pleased with him) that he said: (The Messenger of Allah (peace be upon him) commanded to estimate vines (for collecting zakah) as palm-trees are estimated. The zakah is to be paid in raisins as the zakah on palm-trees is paid in dried dates.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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First question from Fatwa No. 1397

Q 1: If the evaluator overestimates a farm e.g. suggesting twenty thousand Sa` (1 Sa` = 2.172 kg) as an expected production, which is higher than the actual production, to help the farmer, but

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the actual net weight is seven thousand or less, then how is Zakah due in this regard? is it required according to the estimation process or the net weight after the harvest? What is the ruling concerning the financial aid provided to the farmer? Is it lawfully permissible, or not?

A: It is not permissible for the estimator to deliberately overvalue the expected production amount, otherwise he is regarded as sinful. Furthermore, if it is proved that the net production of the harvest is less than the estimation, then the farmer is only permitted to take what is lawfully his in terms of help, the addition over the net production. He should inform the entity concerned to correct the wrong estimation, so that the farmer pays Zakah only on the net harvest. However, if he essentially does not know that, then the basic rule is the acceptance of the ratio of estimation done by the expert as a basis for providing help and paying Zakah on the cultivated land.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Zakah (obligatory charity) on figs

Second question of Fatwa No. 11139

Q 2: Is it permissible to pay Zakah on figs bearing in mind that they are irrigated by rain?

A: No Zakah is due on figs because they are a sort of fruit such as pomegranates and pears and they are neither measured nor saved.

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zakah (obligatory charity) on coffee

Fatwa No. 962

All Praise is due to Allah Alone and peace and blessings be upon our final Prophet.

The Permanent Committee for Scholarly Research and Ifta' has read the paper sent by the Under Secretary of the Ministry of Justice for Judicial Affairs and attached to his letter numbered Q/1/134 and dated 1/2/1395 A. H. to his Eminence

Chairman of the Departments of Scholarly Research, Ifta', Daw`ah, and Guidance and transferred to them by the Secretariat-General for the Council of Senior Scholars numbered 2/203 and dated 11/2/1395 A. H. The issue of this paper is that the Director of Finances of Abha requested an explanation for the way in which coffee should be estimated, the amount of its Shar`y (Islamic legal) Wasq, and whether or not it may be distributed amongst poor people like the case of grain and dates?

After studying the question, the Committee answered as follows:

Coffee is a sort of grain which can be measured and saved and so Zakah should be paid on it. This is only due at the time the coffee is estimated when the grains are ripe and the quantity of coffee reaches at least five Wasaqs (1 Wasaq = 60 Prophetic Sa`s =130,320 kg). The percentage that should be paid is one tithe with regard to coffee whose irrigation is not chargeable, meaning, it is irrigated by rain, floods, or its roots take up subsurface water. A half of a tithe is due if the coffee is irrigated by waterwheels, water pots, or machines; while three quarters of a tithe are due when irrigation is chargeable for half a year and not so for the other.

The evidence for the obligation of paying Zakah of half a tithe for coffee whose irrigation is chargeable and one tithe on coffee whose irrigation is not is what is related by Al-Bukhari on the authority of Ibn `Umar (may Allah be pleased with them both) that the Prophet (peace be upon him) said: ﴾On land that is watered by rain water or by natural water channels, 'Ushr (one-tenth) is compulsory (as Zakat); and on irrigated land, half of a 'Ushr (one-twentieth) is compulsory (as Zakat on the yield of the land).﴿ On the other hand, three quarters of a tithe are due when irrigation is chargeable for half of the year and not so for the other because this percentage is half the total that would be due if each one of the two means of irrigation took place for the entire year. Any way, whatever the due percentage is; it should be directed to channels of spending Zakah just as the case with other grain and fruit.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa No. 2154

Q: We are farmers who want to know about Zakah. All Praise is due to Allah that we pay Zakah on all kinds of grains. Some scholars or students of religious knowledge say that Zakah upon grains is paid only on barley, wheat, raisins and fruits. We would like your advice on this, may Allah reward you with the best!

A: First: zakah on grains has to be paid upon all crops whether they are foodstuff such as wheat, barley, rice, millet, or legumes such as broad beans, lentil, chick-pea or grown-for-seeds crops such as coriander, cumin, linseed, Egyptian cucumber, cucumber, or grown-for-leaves crops such as cress, radish, Safflower according to the general Hadith of the Prophet (peace be upon him): (On a land watered by rain water or by natural water channels, `Ushr (one-tenth) is compulsory (as Zakah).) Related by Al-Bukhari. Zakah has to be paid on all fruits that are weighed and stored such as dried dates, raisin, almonds, peanuts, hazelnuts according to the saying of the Prophet (peace be upon him): (No Zakah is due on less than five Wasqs (1 Wasq = 60 Sa`s =130,320 kg) of dates or grains.) Agreed upon by Al-Bukhari and Muslim, and this wording of the Hadith is narrated by

Muslim. This indicates that the amount that is less than five Wasqs is exempted from the general ruling, otherwise mentioning Al-Awsuq would be meaningless.

Second: There are two conditions for paying Zakah on grains and fruits:

1- After grains are threshed and fruits are dried, they have to reach the Nisab (the minimum amount on which Zakah is due) that is 5 Wasqs (1 Wasq = 60 Sa`s =130,320 kg) weighed by the Sa` of Madinah.

2- The owner of the grains or fruits has to own the Nisab at the time when Zakah is due.

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Fatwa no. 2246

Q: We would like to inform you that the date palm trees known by the name Sukkari (a type of palm trees distinguished by its sweet dates) are planted in large numbers in the lands owned by the inhabitants of Al-Qassim district. The price of this type of dates is going up, with one kilo reaching more than ten riyals whereas other types of dates are sold at one and a half riyals. Is Zakah due on these dates on account of it being of a different type and having a premium quality or is it possible to pay Zakah from other types?

A: It is intrinsically preferable to pay the due share of zakah from the produce of Sokkari trees. It is not permissible to pay Zakah from other dates of inferior quality. However, it is permissible to pay Zakah from

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another type of dates of good average quality. For example, if one kilo of Sokkari is sold at ten riyals, one kilo of dates of inferior quality is sold at three riyals and another type of average quality is sold at six or seven riyals, it is permissible to pay Zakah from this last type.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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zakah on fruits

Fatwa no. 11924

Q: A trader asked me to send your Eminence the following question: The trader has a large farm where apples and other crops are grown and irrigated from artesian water wells. How can he calculate the Zakah (obligatory charity) due on all these fruits and crops? Please be informed that some years he invests the money that is returned in other projects before one year has passed. The remaining money is used to repay debts to banks and creditors. What is the ruling on the Zakah that was paid in the previous years and what should he do?

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Moreover, he frequently deals with interest-based banks and gives and takes interest from them. What is your advice to him? Please answer these questions and may Allah reward you for serving Islam and the Muslims!

A: First, when the profits of the fruits like apples, pomegranates, oranges and tomatoes and their like are used to repay debts and for personal purposes before a lunar year passes, there is no Zakah payable. However, you would have to pay Zakah on the value [money] of such fruits if you have had such money for one complete year and it meets the Nisab (the minimum amount on which Zakah is due). The amount of Zakah that should be paid is one-quarter of one-tenth.

Second, as for the other crops you referred to in the question as a whole, they should be detailed. If they are grains like barley, wheat, rice and corn or if they are grapes and dates, one half of the tenth of the money value of such crops is payable for they are irrigated by an artesian well [which entails expenditure], provided that they reach the Nisab which is five Wasaqs (1 Wasaq = 60 Sa`s =130,320 kg), equal to three hundred Sa`; the Sa` which was measured by the Prophet (peace be upon him) which is what an average man scoops up in two handfuls four times.

Bank interest is prohibited Riba and should be abandoned. Moreover, Tawbah (repentance to Allah) should be made and this interest should be paid in the form of charity to get rid of them [interest] and to meet the conditions of Tawbah.

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May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Deputy Chairman	Chairman

`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Second question from Fatwa No. 9252

Q 2: how do we pay Zakah on Coconut? It is a tree that looks like a palm-tree regarding the benefits and usage but the difference between them is in the form of fruits. The fruits of Coconut have inner and outer husk and both husks are useful but they are not edible. Inside the fruit, there is pure nutritious liquid "milk" ready for drink and may be made as vinegar. It is known that the Nisab (the minimum amount on which Zakah is due) on crops and fruits is five Wasq (1 Wasq = 60 Sa`s =130,320 kg) if we exclude the opinion of the Hanafi school in this regard. The fruits of Coconut are not weighed.

The peasants and farmers of Coconut sell their crops and the fruits of the Coconut on the day of harvest then give its Zakah in cash. This means that they give their Zakah in a way different from the prescribed way for paying Zakah on crops and fruits, is this method of paying Zakah correct?

A: Coconut is deemed to be one of the fruits which has no Zakah because its fruits are not weighed or stored. The similarity between coconut and palm-tree does not demand Zakah

except if it is taken for trade and its value exceeds the Nisab or by adding money and goods to it and one full lunar year passes, then Zakah is obligatory.

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Zakah on cotton

The first question of Fatwa no. 4894

Q 1: Is Zakah (obligatory charity) due on cotton? What is its value? What is the Nisab (the minimum amount on which Zakah is due)? Is the cost of planting cotton calculated before paying Zakah, for this plant costs a lot before it ripens?

A: According to the soundest opinions of scholars, Zakah is not due on cotton. This is also the opinion of the Jumhur (dominant majority of scholars) because the legal basis is the non-existence of the obligation and nothing has been related to us to exempt cotton from this basis; so if there is no obligation on cotton, then no Zakah should be paid

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Zakah on sugarcane

Fatwa no. 4903

Q: Our question to your Eminence is about Zakah (obligatory charity) on sugarcane; is there any legal ruling regarding it? If yes, what is the prescribed percentage to be paid? What is the reply to those saying that there is no Zakah on sugarcane for it is not of what the earth yields? There is another confusing matter, which is; should Zakah be paid in the form of crops or money [according to the crops' market price]?

A: There is no Zakah on planted sugarcane, rather Zakah is on its price if it is sold and the money attains a year, and reaches the Nisab (the minimum amount of money on which Zakah should be paid) separately or collectively when added to other Zakah money or commercial commodities.

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Zakah on firewood and grass

The first question of Fatwa no. 14011

Q 1: I asked about the Zakah that is due on firewood, grass, and bamboo.

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I searched the book of Al-Fiqh `ala Al-Madhahib Al-Arba`ah (The Four Schools of Jurisprudence), where it is said that there is no Zakah due on firewood, grass, bamboo or palm branches, because the land does not benefit from these crops, but it is rather damaged by them. However, if the land owner collects them, sells them and uses their profit, Zakah is due on that money if it reaches the Nisab (the minimum amount on which Zakah is due). Is it also necessary that a Hawl (one lunar year) passes?

A: There is no Zakah due on firewood, grass and bamboo, whether they grow on their own or are planted. However, if they are used in trade after being harvested, Zakah is due on them like any other commercial commodities if their value reaches the Nisab and a Hawl passes since it was first used in trade. In this case, a quarter of a tithe is due on its value. If it is also sold for a purpose other than trade and a Hawl passes while its value maintains the Nisab, Zakah is due.

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Reaping unripe corn

Fatwa no. 8415

Q: Some farmers grow corn but as they find no one to guard it against birds, they are forced to reap it before it ripens. Transformed into some sort of fodder, the corn is used as animal food. Is Zakah due on this type of crops?

And is the financial aid granted by the government to the farmers in return for losing their corn crops lawful?

A: If the reality is as you mentioned, Zakah is not due on these crops. As for the financial aid granted by the government, concerned authorities in the government should be informed of the reality of the matter in order to determine whether they will grant farmers this financial aid or not

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if the Zakah collector falsely increases, in his estimate, the amount of the crops in order to increase the farmer's subvention

The second question of Fatwa no. 1367

Q 2: What is the case if the Zakah collector estimates a farm at a value of ten thousand Sa` (1 Sa` = 2.172 kg) while it is only worth five thousand Sa` in order to increase the farmer's subvention? Is Zakah due on the amount of ten thousand or the five thousand?

A: If the farmer knew this, he should fear Allah (Exalted be He) and should only take what he deserves. This is because the money which he does not deserve to take is unlawful. If he did not know about this until after the Zakah collerctor left, he should inform the authorities about the reality of his crops and have them reevaluated correctly along with the amount of Zakah which is due. He only has to reevaluate the Zakah for his crops. If he did not know, then he should accept the estimation of the Zakah collector.

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if a bequest of palm trees is distributed among heirs, should Zakah be paid on the bequest as a whole or should each heir pay it on their own?

First question from Fatwa no. (1300)

Q 1: In our city, we have many palm trees that are surrounded by a fence, but they are partitioned by land marks into four parts and each part is separated from the other. When the person in charge of estimating Zakah (obligatory charity) on crops comes from Al-Madinah to estimate the Zakah on the palms of Khaybar, Zakah is required from only one or two people, despite the fact that the land is divided into four parts according to the land marks. Is it legally permissible for one or two people to pay Zakah on behalf of the others?

A: Zakah is obligatory on every partition of the mentioned parts owned by each person, if the value of the harvest reaches the Nisab (minimum amount on which Zakah should be paid). The owner of each of these partitions should intend by their payment to fulfill their Zakah, for it is an act of worship, and therefore, must be preceded by an intention for it to be valid since the Prophet (peace be upon him) said: (The reward of deeds depends upon the intentions.) Hence, it does not suffice that a person pays it on behalf of the others unless they grant this person the permission to do so. Moreover, if the owner of the palms is a child or an insane person, then the intention of paying Zakah from their guardian's side will be enough. Also, if the ruler takes the money of Zakah from the owner by force, the intention of the ruler in this case will also suffice for the owner.

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Who should pay Zakah on rented agricultural land?

The fourth question of Fatwa no. 9388

Q 4: Some tenants rent agricultural lands for a specified amount of money which is paid to the landlord. Who should pay Zakah on the produce of the agricultural land: the tenant or the landlord?

A: Zakah on the produce of an agricultural land is obligatory upon the person who grows it even if they are tenants. The landlord is also required to pay Zakah on the rent he receives provided that it reaches the prescribed Nisab (the minimum amount on which Zakah is due) and a full lunar year elapses from the date the tenancy contract is concluded.

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zakah on the share of the person who harvests the crops

Fatwa No. 12284

Q: I planted barley in a piece of land. After I planted it, I entrusted another person to harvest it in return for one third of the crops. The crops were around 30 ardebs. I took 20 ardebs of it and the harvester took the remaining 10 ardebs. Who should pay Zakah on the ten ardebs the harvester took in return for harvesting the crops?

A: Zakah is obligatory on all the crops and it is the owner of the crops who has to pay Zakah not the person who harvested it as he is a mere worker.

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obligation of Zakah on Indebted Farmers

Fatwa no. 2956

Q: We are farmers and we grow different produce,

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such as wheat and barely. Some of us say that they are not able to pay the Zakah, and others say that they do not have to pay Zakah, because as farmers they are indebted to the bank for between 40,000 to 80,000 riyals. Please, give us a written answer, because most of the farmers do not like the radio or listening to the Fatwas that are given on it. They would like you to send them a written Fatwa and asked me to write to you on their behalf. May Allah grant us success!

A: Zakah is due on agricultural harvests, of produce such as wheat, barley, dates, and other grains and fruits, if they reach the Nisab (the minimum amount upon which Zakah is due), even if the owners of these harvests are in debt or their land is mortgaged, as Allah (Exalted be He) says: ﴾pay the due thereof (its Zakât, according to Allâh's Orders 1/10th or 1/20th) on the day of its harvest﴿ Also the Prophet (peace be upon him) said, ﴾"That which is watered from the sky or by natural sources or if the land is wet, (the Zakah is) one-tenth (of the yield of the land); and that which is watered by (artificial) irrigation, half of one-tenth (i.e. one-twentieth)."﴿ We ask Allah to help you adhere to your religion and to make matters easy for you!

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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zakah upon Dates when Transferred to Heirs

Fatwa no. 12435

Q: Some brothers received an inheritance of harvested dates. Should they pay the Zakah on the dates before they share them out or wait until after they have shared them out, so each of them knows what their share is, and then they pay their Zakah on it in their own way? Does the Hadith reported on the authority of Abu Bakr, "Do not combine the separated nor separate the combined..." apply to this situation or does it just apply to Zakah upon sheep?

A: It is obligatory on each of the heirs to pay the Zakah on their share, if their share reaches the Nisab (the minimum amount on which Zakah is due). The Nisab amounts to five Wasqs (1 Wasq = 60 Sa`s =130,320 kg) as measured by the Sa` (1 Sa` = 2.172 k) of the Prophet (peace be upon him).

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Zakah on Gold and Silver

Mithqal

The Second Question of Fatwa no. 3485

Q2: we know that the Nisab (the minimum amount on which Zakah is due) for gold is twenty Mithqals, but what is a Mithqal?

A: The minimum amount of gold on which Zakah is payable is twenty Mithqals, which equals about 11 and 3/7 Saudi pounds.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The Fourth Question of Fatwa no. 437

Q4: what is the value of the 200 dirhams amount upon which Zakah is due? What is the amount of Zakah due on grains, and what is its Nisab (the minimum amount on which Zakah is due) of grains? If someone possesses 3 or 4 Wasqs (1 Wasq = 60 Sa`s =130,320 kg) of grain from two or more farms, is there any Zakah due on them? Is it permissible for a woman to pay her Zakah to her husband?

A: A dirham is a small silver coin that was widely used in the early years of Islam. It weighs 3 Daniqs (a silver coin equal to eight grains of barley or 0.496 grams), that is seven tenth of a Mithqal (1 Mithqal = 4.25 grams).

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The Nisab of silver is 200 dirhams. If the amount of grain reaches the Nisab, and can be weighed and stored, then it is obligatory to give one tenth of it if it has been irrigated solely by natural sources of water. If a human effort was exerted and various tools used for irrigation, one twentieth of the amount should be paid as Zakah. If both means of irrigation are used interchangeably, three forth of the one tenth of the amount should be paid. The Nisab of grain is 5 Wasqs and 1 Wasq amounts to 60 Sa` (1 Sa` = 2.172 kg). If someone possesses 3 or 4 Wasqs, then there is no Zakah due on them, whether they are from one farm or more. If, however, the grain amounts to 5 Wasqs or more, then it is obligatory to pay Zakah on them, no matter how many farms they are from, and regardless of whether the grain was harvested once or twice in the year. it is permissible for a woman to pay her Zakah to her husband if he meets the conditions of those deserving to receive Zakah, as it is not obligatory for a woman to provide for her husband. The Prophet (peace be upon him) permitted the wife of `Abdullah ibn Mas`ud (may Allah be pleased with them) to pay her Zakah to her husband.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Nisab of gold and silver

The second question of Fatwa no. 1881

Q2: How should we calculate the Nisab (the minimum amount on which Zakah is due) in the Turkish banknote? Which is better; calculating it (the Nisab) according to the price of gold or silver? Also what is the difference between them?

A: The Nisab of gold is twenty Mithqals (4.68 grams) and twenty Mithqals are equivalent to 11 and 3/7 Saudi gold pounds, and the Nisab of silver is one hundred and forty Mithqals, or two hundred dirhams at the time of Prophet Muhammad (peace be upon him), which equal 56 Saudi silver riyals. If a Muslim has Turkish coins that equal the Nisab of gold or silver in their possession for one lunar year, they are obligated to pay 2.5% of it as Zakah. In case the person has more Turkish coins than the Nisab of both silver and gold, they should calculate the Zakah according to the one that is most beneficial to the poor. But if the money only reaches the Nisab of one of them and not the other, the Zakah should be calculated according to the price of the one whose Nisab is reached.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 5522

Q: How many grams are there in the 20 dinars mentioned in the chapter on Zakah, or in other words how many grams does one dinar equal? What is the Zakah due on 20 silver dinars in Saudi riyals now? And also on 200 silver dirhams?

A: Firstly, the Nisab (minimum amount on which Zakah is due) of gold is 91.4 grams and Zakah due on it is 2.5%. The Nisab on gold Saudi coins is 11 and 3/7 Saudi riyals.

Secondly, the 200 silver dirhams on which Zakah is obligatory equal 56 Saudi silver riyals.

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Fatwa no. 12459

Q: Many years ago I had 300 grams of gold that I used to wear. I sold this gold for 85 Syrian liras a gram, and I intended to

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buy other gold when the market price of gold would go down, but the opposite happened. The price of gold started to increase continually. I kept the money, which was 25,000 liras, for a full year. At the beginning of the following year, I gave the money to my father to invest it in a business project. He had the money for one year, during which time it increased to 30,000 liras, as the profits were about 5,000 liras. I decided to use this money to buy some gold to wear, in order to make up for the gold I had sold some years ago. I did buy gold with the 30,000 liras; the price of each gram was then 265 liras and so I only got 113 grams of gold for the 30,000 liras. This meant that I had two thirds less gold than I had had before, and I could not buy any more than that, due to the high price of gold at the time.

My question is: I hope Your Eminence will clarify how I should pay the Zakah on the money I had for the two years, if I am obligated to pay it. Please note that this happened many years ago. Please, give me a detailed answer so I can understand it.

A: As you had the money from the sale of the gold for more than a lunar year, you must pay 2.5% of it as Zakah for the first year, and the same for the second year, in addition to the Zakah you must pay on the profit.

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Zakah Nisab in dollars and other currencies

Fatwa no. 1728

Q: What is the Nisab (minimum amount on which Zakah is due) in dollars?

A: The amount of Nisab in dollars and other paper money currencies is equal to the value of twenty Mithqals (4.68 grams) of gold, or one hundred and forty Mithqals of silver in dollars, if you have the Nisab in money (dollars or other currencies) at the time the Zakah is due. The share given to the poor has to be the value of one of those Nisabs, taking into account the difference in the values of currencies due to changes in time and place.

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Zakah on Gold

The first question of Fatwa number 2543

Q: I have a gold shop and I used to pay its Zakah (obligatory charity) every year by recognizing the total weight of the gold and pay 2.5% of its value in Saudi Riyals. Should I pay the Zakah of the year when I calculate the weight of gold or that of the preceding year? Illustrate this for me, may Allah confer mercy upon you!

A: Zakah on gold is paid according to its weight at the time of paying Zakah and when a full lunar year passes.

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Money

The second question of Fatwa no. 6427

Q 2: What is the ruling regarding Zakah on money? We have an amount of paper money, i.e. banknotes,

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should we pay Zakah from it as it is or should we exchange it for gold or silver and then pay the Zakah according to the market price of gold and silver, as stated in the Shari`ah (Islamic Law)?

A: If the reality is as you mentioned, you must pay 2.5% of the paper money you have as Zakah in paper money, whether the money is backed by silver or gold reserves or not, provided it reaches the Nisab (the minimum amount on which Zakah is due) which equals one hundred and forty Mithqals (1 Mithqal = 4.25 grams) of silver and twenty Mithqals of gold, and you have owned it for a lunar year.

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Zakah on gold and silver paid in cash

The sixth question of Fatwa no. 9564

Q 6: Is it permissible to pay the Zakah on gold and silver in paper money, as it is the case with commercial commodities? In other words, can the 2.5% of the value of gold and silver be paid in cash after a lunar year has passed?

A: There is no harm in paying the Zakah on gold and silver in cash

of equal value after a lunar year passes, because they all share the same value.

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paying less than the Amount of Zakah Due on Wealth

Fatwa no. 2713

Q: A man has a sum of money. He has been paying the Zakah due on it every year. However, he thought this sum was 4,000 riyals, so he continued to pay Zakah on this amount. When he counted the money, he discovered that it was actually 8,000 riyals. He does not know how many years he has had this money; it may have been five or more years. The man is now asking you to issue a Fatwa on what he should do about the money on which he did not pay Zakah for an unknown period. We hope that you will help us regarding this matter, and may Allah grant you success!

A: The man has to pay the Zakah on the amount over the 4,000 riyals for the years he is sure about, but he is not obliged to pay Zakah for the years he is not sure about, although it would be better for him to pay the Zakah for the years he is not sure about as a precautionary measure.

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zakah on Gold worn by Women as Adornment

Fatwa no. 1797

Q: I would like your eminences to tell me, and other Muslims, about the Zakah that is due on gold or on gold and silver jewelry that is intended for use as an adornment and not as an investment. Some people say there is no Zakah due on gold and silver jewelry that is intended for wearing, while others say that Zakah is due on it whether it is intended for adornment or investment. They claim that the Hadith stipulating the obligation of Zakah on it when it is intended for wearing are stronger than those stipulating there is no due Zakah. Please send me a clear written Fatwa, and may Allah reward you for serving Islam and Muslims.

A: Muslim scholars agree that it is obligatory to pay Zakah on gold and silver jewelry that is not to be worn, or is bought for trading or similar purposes, but if it is jewelry that can be used for adornment or lending, such as silver rings or women's jewelry, or what is permitted from decorative weapons, the scholars have differed

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over the obligation of Zakah on this. Some scholars believe that Zakah is obligatory on the jewelry used for adornment, as Allah says: ﴾And those who hoard up gold and silver [Al-Kanz: the money, the Zakât of which has not been paid] and spend them not in the Way of Allâh, announce unto them a painful torment.﴿ Al-Qurtuby said in his explanation of this Ayah (verse): "Ibn `Umar explained the meaning of this Ayah in the Sahih Book of Hadith by Al-Bukhari, when a Bedouin once asked him about these Words of Allah: ﴾And those who hoard up gold and silver [Al-Kanz: the money, the Zakât of which has not been paid]﴿ Ibn `Umar said: 'The Ayah warns those who hoard up gold and silver without paying Zakah on them, as this was before (the Ayah about) Zakah was revealed, and when it was revealed it was revealed by Allah to purify wealth.'" Many Hadith are related stipulating the same, such as the Hadith related by Abu Dawud, Al-Nasa'iy, and Al-Tirmidhy, from `Amr Ibn Shu`ayb who related it from his father who narrated it from his grandfather saying, ﴾A woman came to the Messenger of Allah (peace be upon him) and her daughter was with her. On her daughter's wrist were two heavy gold bracelets. He said to her, "Have you paid the Zakah on them?" She said, "No." He then said, "Will you be at ease if Allah puts two bracelets of fire round your wrists on the Day of Resurrection?" She took them off and gave them to the Prophet (peace be upon him) saying, "They are for Allah and His Messenger."﴿ It was also related by Abu Dawud in his "Sunan", Al-Hakim in his

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"Mustadrak", Al-Daraqutny, and Al-Bayhaqy in their "Sunan", on the authority of `Aishah (may Allah be pleased with her) who said: ﴾The Messenger of Allah (peace be upon him) came to me and saw me wearing silver rings, and he asked, "What is this, `Aishah?" I replied, "I made them to adorn myself for you, O Messenger of Allah!" He said, "Have you paid the Zakah on them?" I said, "No," or

"Whatever Allah wishes." Then he said, "He will make you pay for them in the Fire.") Also it was related that Um Salamah said: (I used to wear gold ornaments. I asked, "O Messenger of Allah! Is this a treasure?" He replied, "Anything that reaches an amount on which Zakah is payable is not a treasure when the Zakah is paid.") Some of the scholars say that no Zakah is payable on jewelry used for adornment, because it is like clothing or goods that are permissible to be used and not for investment. Regarding the aforementioned Ayah, they say that it is a special case confined to the Prophet's Sahabah (Companions, may Allah be pleased with them). It was authentically related that `Aishah (may Allah be pleased with her) used to look after the orphaned daughters of her brother in her house. They had jewelry that they wore, and she did not pay Zakah on this jewelry. Al-Daraqutny also narrated with the same Sanad (chain of narrators) that Asma' bint Abu Bakr (may Allah be pleased with her) used to put gold objects on her daughters valued at 50,000 dirhams, but she did not pay Zakah on

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them. Abu `Ubayd said in his book "Al-'Amwal": "Isma`il Ibn Ibrahim narrated from Ayyub, from Nafi`, that Ibn `Umar married his daughters to their suitors for (a Mahr [dowry] of) 10,000 dinars, including 4,000 dinars for jewelry. They did not pay any Zakah on that." Abu `Ubayd said that Isma`il Ibn Ibrahim related from Ayyub that `Amr ibn Dinar said, "When Jabir Ibn `Abdullah was asked, 'Is there Zakah on jewelry?' He replied, 'No,' He was asked, 'Even if its value is 10,000 dinars?' Jabir said, 'Even if its value is more than that'." In response to the Hadith on the obligation to pay Zakah on jewelry, some scholars say their Sanad are Da`if (weak) and they cannot be used. Ibn Hazm said in his book "Al-Muhalla": "These are weak narrations that should not be used." Al-Tirmidhy after narrating the aforementioned Hadith reported by `Amr Ibn Shu`ayb from his father from his grandfather said, "There is nothing in this chapter authentically related from the Prophet (peace be upon him)." Ibn Badr Al-Mawsily commented in his book "Al-Mughny 'an Al-Hifzh wal-Kitab", that there was nothing authentic in the chapter on "Zakah on Jewelry" and said, "There is nothing in this chapter authentically related from the Prophet (peace be upon him)." Al-Shawkany commented in his book "Al-Sayl Al-Jarrar"

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on "Al-Mughny 'an Al-Hifzh wal-Kitab" saying: "No authentic Hadith was related about Zakah on jewelry." Some scholars believe the Zakah is obligatory if it is not used.

The preferred opinion on this issue is that Zakah is obligatory on jewelry if it reaches the Nisab (the minimum amount on which Zakah is due), or it does so when combined with other silver, gold, or other commercial commodities that one owns, as many Hadith show a general obligation to pay Zakah on silver and gold and there is nothing specific as far as we know. Also, the aforementioned Hadith narrated by `Abdullah Ibn `Amr Ibn Al-`As, 'Aishah, and Um Salamah have good Sanads and sound texts, so they should be acted upon.

As for Al-Tirmidhy, Ibn Hazm, and Al-Mawsily deeming these Hadith as Da'if (weak), this is incorrect as far as we know. Al-Tirmidhy (may Allah be merciful with him) is excused for his opinion, because he reported the Hadith narrated by `Abdullah Ibn `Amr through weak sources, but Abu Dawud, Al-Nasa'iy, and Ibn Majah related another version of this Hadith that was authentic. Maybe Al-Tirmidhy did not see this version.

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paying Zakah on Jewelry

The Second Question of Fatwa no. 3020

Q2: How can I pay Zakah on jewelry? One year ago, I got some gold jewelry for 3,000 pounds, but the value of the jewelry has almost doubled now, should I pay the Zakah according to the purchase price or the current price of gold?

A: You must pay Zakah on the gold jewelry that you have according to the current price of gold, after you have had it for a lunar year, if it reaches the Nisab (the minimum amount upon which Zakah is due), and not according to the purchase price.

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The First Question of Fatwa no. 4406

Q1: if a girl is going to marry and her father gives her some gold before she leaves to go to her husband's house, and it is of such an amount that Zakah is due on it, does the Zakah have to be paid on this gold or not? And is it the wife or her husband who should pay the Zakah?

A: Zakah is obligatory on that gold, whether it is to be used for adornment or not, and whether the wife wears it or not.

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The wife is the one who should pay Zakah on this gold because she owns it.

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The Second Question of Fatwa no. 4509

Q2: how much gold does a woman have to have before she has to pay Zakah on it? If the gold is owned by a woman, does she have to pay Zakah on it every year or just once? Or is she not obliged to pay Zakah on it at all? What is the ruling on this matter?

A: If the gold a woman wears reaches the Nisab (the minimum amount on which Zakah is due), whether alone or combined with other items on which Zakah is due, such as gold, silver, and commercial commodities, Zakah is due on it after every lunar year. It is worth mentioning that the Nisab of gold is twenty Mithqals (1 Mithqal = 4.68 grams) and that is worth 11.4 Saudi (gold) riyals.

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The Second Question of Fatwa no. 5637

Q2: a woman has some jewelry, but her husband has not paid the Zakah due on it. Should she pay the Zakah due on the jewelry? If she does not have money to pay the Zakah, must she sell some of the jewelry to pay it?

A: It is obligatory for the person who owns gold, whether it is used for adornment or not, to pay Zakah on it. This woman should pay Zakah on the jewelry from it or other wealth that she has. It is also permissible for her husband or any other one to pay the Zakah on her behalf with her permission.

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The first question of Fatwa no. 6549

Q 1: A family has some old jewelry - necklaces and chains - that include some beads that were very valuable in the past, but are of no value now. They are no longer worn by women and so there is no market where they can be sold. My question is: how can we pay the Zakah on these jewels that have no value?

A: If this jewelry has gold or silver in it that reaches the Nisab (the minimum amount on which Zakah is due), whether by itself or combined with commercial commodities owned by this family, then Zakah is due on that; otherwise no Zakah is due.

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Zakah on money saved for marriage

The first question of Fatwa no. 7940

Q 1: a man has had some money for one lunar year, but he has been saving it to get married. Is Zakah due on this money?

A: Zakah is due on this money as it meets the conditions for the obligation of Zakah. Wanting to use this money for marriage cannot be used as an excuse for not paying the Zakah.

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Fatwa no. 1941

Q: Is it lawful to take out loans from the Real Estate Bank? Is it lawful for me to go on Hajj (Pilgrimage) while I have outstanding loans from this bank? If

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a lunar year has passed and I still have part of the money from the loan, must I pay Zakah on it?

A: It is permissible for anyone who meets the requirements, as set by the government, to take loans from this bank and taking a loan from this bank does not prevent one from performing Hajj. With regard to the remaining sum of the loan, if it meets the minimum amount to be considered for Zakah and one year has passed, Zakah is payable on it.

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Accumulated money kept for a full lunar year

Fatwa number 210

Q: Somebody saved some money he earned and most of the saved money remained for a full lunar year. Then, he spent the money in some profitable things and asks, "Is Zakah (obligatory charity) required on this money?"

A: If the money he has accumulated reached the Nisab (the minimum amount on which Zakah is due) and remained for a full lunar year, Zakah would be obligatory on it. It does not matter that he dispensed with it in marriage or the like after a full lunar year passed. If he did not pay the due Zakah on the amount of money on which Zakah became obligatory, he would have to pay it. As for the money that has not been kept for a full lunar year

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and was spent, there is no Zakah due on it.

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Fatwa no. 13577

Q: A man died and left three children. Their grandfather looks after them and provides for them from his own money even though they receive a pension of 1400 riyals per month. The grandfather has been saving their pension for them. However, the father was indebted to a bank for 300,000 riyals and now the children are required to pay back this sum. The father borrowed the money to build a house for his family.

Is Zakah due on the children's money that the grandfather has been saving for them? It is noteworthy to mention that the children are indebted to the bank and do not spend from this money as their grandfather provides for them. I hope you will send me a written Fatwa.

A: Zakah is due on the money saved for these orphans if it reaches the Nisab (the minimum amount on which Zakah is due) after the passing of one lunar year. The fact that these orphan children are indebted to the bank does not exempt them from paying the Zakah due on their money.

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Third question from Fatwa No. 3250

Q 3: when we receive our monthly salary, we deposit it in the bank, and of it we eat, drink, and pay rent. A certain amount may remain after spending, should Zakah (obligatory charity) be paid if this money reaches the Nisab (the minimum amount on which Zakah is due) and a whole Hijri year passes?

A: If the state is so and the amount of money remains for one lunar year and reaches the Nisab whether by itself or added to another sum of money owned by the said person, then Zakah is due on that sum at the rate of 2.5%.

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The Second Question of Fatwa no. 3453

Q2: if a man has a sum of money to which he adds his salary and all the other money he gains, then he spends some or all of this money, how can this man pay the due Zakah?

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A: If some money remains in one's possession for one lunar year and reaches the Nisab (the minimum amount upon which Zakah is due), then Zakah is due on this money, for these are the two main conditions by which Zakah becomes obligatory.

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Second question from Fatwa no. (4841)

Q 2: there is a sum of money, that is deposited in a saving account without increments and a year has passed since it was deposited. Should Zakah (Obligatory charity) be paid on that sum or not?

A: If a year passes after possessing the money and it reaches the Nisab (the minimum amount on which Zakah should be paid), then it is obligatory to pay Zakah on it.

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The fifth question of Fatwa no. 5155

Q 5: i deposited a sum of money with my father more than

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a year ago. Is Zakah due on it?

A: Zakah is due on that sum of money if it reaches the Nisab (the minimum amount on which Zakah is due) and when a Hawl (one lunar year) passes.

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Fatwa no. 7295

Q: I have never paid Zakah, even though it is known that Zakah is one of the pillars of Islam. I have been saving L.E. 3000 in Egypt for three years, and I have been working in Saudi Arabia for nine months and receive 1500 Riyals a month, half of which I save and the other half I send to my father, as he needs help. Is Zakah due on that sum of money? Is Zakah due on the sum of money in Egypt if the former is not? Is Zakah due on my current monthly income? Please keep in mind that the mentioned sum of money is not enough to buy and furnish a house, as I am planning to get married and I need help. What should I do? Please advise.

A: First, you should pay Zakah on the L.E. 3000 which you have saved in Egypt

for the last three years, even if you are saving this money to buy a house and get married, as long as you have not actually paid them for years. **Second,** the money you send to your father is not to be counted from Zakah. **Third,** you should pay Zakah on everything you save from your salary in Saudi Arabia if a Hawl (a lunar year) passes. **Fourth,** the Zakah due on this sum of money is a quarter of a tithe, meaning, 2.5% whenever a Hawl passes.

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The second and third questions of Fatwa no. 10604

Q 2: What is the ruling on paying Zakah (obligatory charity) on a sum of money once, then keeping this money for expenditures without increasing or benefiting from it in any way? Should Zakah be paid on this sum every year? It is mentioned in Al- Mughny: "Zakah is only obligatory on things which grow, where one pays out from the yield of that growth and this is easier" We hope you will clarify what the Shari`ah (Islamic law) prescribes in this case.

A: Zakah on money intended for expenditures becomes obligatory, if one year passes and the sum reaches the Nisab (the minimum amount on which Zakah is due) on its own or after adding them to other items of the same kind which are subject to Zakah

such as money or commercial commodities. It should be paid every year.

The Permanent Committee of Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q3: What is the ruling regarding weapons intended as dress weapons, as a collector's items, for self-defense, or loaning, and not as a commercial commodity or for profit? Is Zakah due on them or not? Many people keep them for these reasons, with a government license. What is the ruling on this?

A: There is no zakah due on weapons kept as possessions.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 4447

Q 3: is Zakah due on private weapons, such as rifles, pistols, and swords which are not intended for commercial trading purposes? if they are due, how can it be calculated?

A: Zakah is not due on such objects since they are not intended for commercial trading purposes. However, like jewelry, if the estimated value of the sword or other objects happens to reach the prescribed Nisab (the minimum amount on which Zakah is due), Zakah becomes due on them according to the most appropriate of the two views held by scholars. Zakah is also due if the prescribed Nisab of any of these objects is reached by adding the estimated value of other objects.

(Part No. 9; Page No. 277)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 11087

Q 2: I have deposited money in a bank in order to build an apartment for each of my children when the amount becomes sufficient to cover the construction costs. If the money is not sufficient, due to the high cost of building materials and my moderate income, I will sell the land and divide the money among my children. My question is: Is Zakah due on the money I have saved for building? Please answer my question and may Allah reward you for helping me and other Muslims.

A: Zakah is due on any money you have saved for building so long as one lunar year has passed and the money you have saved reaches the Nisab (the minimum amount on which Zakah is due) by itself or when added to other money or commercial commodities that you own.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The first question of Fatwa no. 11142

Q 1: i have saved almost 2,000 Egyptian pounds from the money i have earned from work,

not from trading. As I have had this sum for a lunar year now, do I have to pay Zakah on it or not?

A: Zakah is due on the money that you have earned from work, even if it was not gained from trading, if you have had it for a lunar year. Thus, you should pay 2.5% of the total as Zakah every year.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Is is permissible to postpone Zakah on government subsidies till the following year?

The second question of Fatwa no. 2411

Q 2: A person owning several farms and livestock paid the due Zakah (obligatory charity) honestly without cheating. He then got a government subsidy as a form of encouragement and support. Is it permissible for him to perform Hajj and pay the due Zakah from this money next year?

A: If the case is actually as mentioned in the question that Zakah

was paid as prescribed without tricks to acquire the government subsidy given to producers; it is permissible to perform Hajj and pay his Zakah on this money next year. There is nothing wrong with that.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

zakah on employees' salaries

The First and Second Questions of Fatwa no. 282

Q1: An employee saves a variable sum of money every month; which decreases one month and increases another month. After the passage of a lunar year from the time of the first deposit, the other deposits will have been deposited for less than a year. If the employee does not know how much they have saved every month, how can they pay Zakah due on this money?

Q2: Another employee puts the monthly salary in a safe as soon as they get it, then they take from the safe whatever they need to meet their and their family's daily needs. How can they pay the Zakah due on the remaining money in the safe considering that a full lunar year has only passed for some of the money?

A1,2: Since the first and the second questions are related to each other, and because we receive many other similar questions, the committee has decided to give a general answer to this issue in order to benefit as many people as possible. If a person has the Nisab (minimum amount of money on which Zakah is due) and subsequently gets other sums of money at different times, such as money from their monthly salary, gifts, inheritance, or rent, so long as these sums do not originate from the first amount, if they are keen to pay only the Zakah that is obligatory upon them at that particular time, then they should make a table in which they record the date on which they received each sum of money to be able to pay the Zakah due on each sum after the passage of a lunar year.

However if a person wishes to take an easier way and give priority to the needs of the poor and others to whom Zakah is due, they can pay the Zakah on all of their money after the passage of one lunar year from the time of the first deposit. In this case, they will be greatly rewarded by Allah, their mind will be at ease, and it will be more helpful to the poor and the other categories of people who are deserving of Zakah. The extra amount of Zakah they pay will be considered prepaid Zakah for the rest of the money for which a lunar year has not yet passed.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Researches and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa No. 1360

Q: Someone asks about zakah on employees' salaries, is it obligatory to pay it when they get paid or after one lunar year has passed?

A: There is no doubt that paying Zakah on cash money is obligatory. One of the conditions that makes Zakah obligatory is the passage of a full lunar year. Zakah is due on the money someone puts aside from their salary, if it reaches the Nisab (the minimum amount on which Zakah is due) on its own or when added to other money, provided that they are kept for a lunar year. We do not need to use Qiyas (analogy) with the Zakah due on agricultural products, as it is proven by a religious text that the obligation for Zakah on cash comes after a lunar year, and so there is no need to use Qiyas when there is a text. Therefore, Zakah is not due on an employee's salary, unless they have saved it for one full lunar year.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

(Part No. 9; Page No. 282)

The fourth question of Fatwa no. 2192

Q 4: A Muslim employee or worker gets a monthly salary, which is the only source of income. Some months the entire salary goes to expenditures and in others only a small sum is put aside for emergencies. How would this person pay Zakah (obligatory charity)?

A: A Muslim must pay Zakah on the money saved from monthly income when a year has passed on this sum if it reaches Nisab (the minimum amount on which Zakah is due) on its own or after adding other money to it or commercial commodities subject to Zakah. Furthermore, if one pays Zakah on the saved amount in advance before a year passes; this is good inshaa Allah (if Allah wills).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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is Zakah due on a Retirement Bonus?

Fatwa no. 7472

Q: I work for a company that gives its employees fifteen days' salary as a bonus for every year of service, but they give this bonus at the end of their service. I would like to ask Your Eminences for a Fatwa: At the end of my service with this company I will be given this bonus, am I required to pay the Zakah on this bonus for my years of service?

A: If the reality is as you mentioned, no Zakah is due on this bonus until you have received it and had it for one lunar year.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

zakah due on the government's payments when delayed

Fatwa no. 13381

Q: The Custodian of the Two Sacred Mosques, may Allah protect him, issued a decree that

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all payments due to governmental bodies, organizations and individuals should be paid. One of the concerned organizations received payments that traced back to 1403 AH, almost seven years ago. The total amount paid to this organization is more than 5 million riyals. My question is: Is Zakah due on this money upon payment? If so, is Zakah due on this money for one year, or for more? If Zakah is due on this money, people should be informed about this by the Imams (those who lead congregational Prayer) of Masajid (mosques) and by way of the media so that the people involved can fulfill the third obligation of this great religion and win the pleasure of Allah (Glorified and Exalted be He). This is also important so that Allah will bless us with rain as one of the reasons that Allah does not send down rain is punishment for not paying Zakah. My sole reason for asking this question is to please Allah. With my best regards and may Allah's peace and blessings be with you.

A: If the matter is as you mentioned, Zakah is due on this money at the end of the year to be counted from the day the organization receives the payment, and no Zakah is due for the previous years as the money was not in the organization's possession.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Deputy Chairman	Chairman
`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

deducting taxes from Zakah

The third question of Fatwa no. 6573

Q 3: What is the opinion of the Permanent Committee of a person who, after taking out the Zakah due on his wealth, then pays his taxes from it? Is this correct or not?

A: It is not permissible for a Muslim to pay the taxes due on their wealth from the Zakah they are obliged to pay on it. In fact, they have to pay the Zakah due on their wealth to the lawful recipients as determined by Allah in this Ayah (Qur'anic verse): ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

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Co-operative Organizations

Fatwa No. 409

A constitution of a co-operative organization stipulates that 10% of their net profits shall be consigned to charitable causes. However, the Zakah Authority demands the Zakah due on its profits. Now, should the society pay Zakah on its profits in this case? If they should, do they pay Zakah for the past years during which they did not pay Zakah?

A: This co-operative organization is governed by the same rules as other business and commercial organizations, it must pay Zakah on its profits. As to the 10% deducted from the net profits for charitable causes, it does not exempt it from the obligation of Zakah. The 10% in question is like voluntary charity (sadaqah), and sadaqah does not replace Zakah, because Zakah is an obligatory act of worship which must be carried out with the appropriate intention. The amount of 10% is not paid as Zakah; rather it is given as a voluntary act of charity. So this organization has to pay Zakah to the competent authority. Furthermore, it has to pay Zakah for the past years during which no Zakah was paid.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

zakah due on trusts

Fatwa no. 12888

Q: There is a Bedouin family consisting of a blind man, his wife, and their son who provides for them. The son is very poor and has neither a steady job nor is he married. In light of the situation, some people decided to collect money for this dutiful son so that he could get married in order that his wife might assist him in looking after his parents. These beneficent people collected a sum of 20,000 riyals, and one of them presented it to the son so that he might be able to marry. However, both the son and the father refused to take the money, claiming that if they took the money at that time it might be wasted. Instead, they asked the man to keep the money with him until the time that Allah wills the son to marry. The man deposited the money in Al-Rajihy Bank as he did not want to invest it considering that it was a trust. Since that time, the money has been in the bank for five years. Is Zakah due on this money? If so, who should pay the Zakah; the one entrusted with the money or the one to whom the money was given?

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It is noteworthy to mention that the grantee has no money to pay the due Zakah. Also, the man entrusted with the money, who has deposited it in Al-Rajihy Bank, has been lending it out to the needy in short term non-interest loans that are repaid after one or two months, assuming that this will make up for the Zakah due on the money he has deposited in the bank. Is this lawful or not? Is the trustee sinful for doing this without asking permission from the father and his son (the owners of the money)? The man wants the father and his son to take this trust and wants to know how he can expiate for any sins he might have committed with regard to this money. May Allah reward you the best!

A: Zakah is due on the aforementioned sum of money for every lunar year that has passed and it is the possessor of the money who must pay the due Zakah. The one entrusted with the money should not lend the money to the needy without the permission of the possessor. In addition, lending money without interest does not cancel the Zakah due on the money.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

zakah on a Family Charitable Fund

Fatwa no. 7449

Q: I keep a sum of money as a fund for my tribe. Every male member of the tribe, young or old, pays 100 riyals at the beginning of every Hijri year to this fund. We save this money so we can use it to pay for Diyah (blood money) from car or other unintentional accidents or to defend people. The total amount is now really big, 200,000 riyals or more. This fund is called the "Furuq" of the tribe. The people of the tribe have unanimously chosen me to be the one entrusted with this fund. Is there any Zakah due on this money if a lunar year passes without us using it? It should be mentioned that this money is collected every year.

A: If the reality is as you mentioned and the tribe's members do not regain any of the money they paid into the fund as a donation, they no longer personally own it, and the money is used for the purpose that they donated it for, then no Zakah is due on it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

(Part No. 9; Page No. 290)

zakah upon the family fund

Fatwa No. 12687

Q: We belong to the tribe of Dhu `Uliyan, one of Banu Sulaym tribes. We have raised a fund for the interest of the tribe. The rich and the poor people of this tribe and all those who reach the age of puberty participate in it. This fund was established according to following conditions:

1-

The revenues of this fund are allocated for this tribe only.

2-

This money is not for investment or trade.

3-

The share of any person who dies of the people participating in the fund of the tribe goes to his inheritors.

4-

This fund is allocated for the misfortunes that may befall this tribe, such as car accidents, legal Diyah (blood money), losses in speculations and the like.

5-

The money drawn from the fund is taken as an emergency loan and later should be allocated back from the whole tribe then brought back to the fund.

6 -

The fund does not help the members who are involved in problems resulting from committing prohibitions such as drugs, fornication, theft and the like.

Your Eminence, may Allah grant you a long life, our question now is:

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Is there Zakah upon the revenue of this fund? I hope to get your advice on this question through a written letter to explain this to the members of the tribe. May Allah reward you with the best! May peace, blessings and mercy of Allah be upon you!

A: Zakah has to be paid on the revenue of this fund because money is still in the possession of its owners and has the same ruling as loans.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

zakah on Money saved to pay Blood Money

Fatwa no. 4453

Q: One of the tribes collected a sum of money that they dedicate to pay any blood money on behalf of its members. They used this money in business and also dedicate the profit they made for the payment of blood money. Is Zakah due on this money or not? If it was not being used in business would Zakah then be due on it or not? Can other tribe members pay the Zakah due on their wealth into this fund?

A: If the reality is as you mentioned, there is no Zakah due on that money, as it has the same ruling as a Waqf (endowment), whether it is frozen or put to work in a business. Moreover, it is not

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permissible to pay Zakah into this fund, as it is not dedicated for the poor or any of the other potential recipients of Zakah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Zakah on Charitable Organizations

Fatwa no. 4460

All praise be to Allah Alone, and peace and blessings be upon His Messenger Muhammad, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta' has read the question sent to His Eminence, the Chairman of the Committee from the General Manager of the Saudi Department of Zakah and Income Tax, no. 110 on 25/1/1402 A.H., which states:

I want to ask you about the King Faysal Charitable Foundation, which was established by virtue of Royal Decree, no. A/134 on 19/5/1396. The foundation receives donations and gifts, and then invests them either by itself, through other affiliated foundations, or through entering into partnership with other companies, which earn profits for the foundation.

(Part No. 9; Page No. 293)

I therefore want to ask Your Eminence if the funds of this foundation and its branches, and the funds of other similar charitable foundations, are liable to pay the Zakah that the Department of Zakah and Income Tax is commissioned to collect. I enclose with my letter, a copy of the regulations of the King Faysal Charitable Foundation for you to read and see the activities and purpose of the foundation, and ask you to send us an Islamic opinion regarding this. The committee read the fourth article of the foundation's regulations, which says: "The purpose of the foundation is to receive financial donations from its members and others, and then spend them on educational and scientific activities or different charitable activities that will benefit and improve the welfare of Muslims inside the Kingdom of Saudi Arabia and outside, and increase their standing. In order to achieve this goal, the foundation builds Masjids (mosques), schools, institutes, universities, Islamic centers, and do any work or offer any services that can help Muslims collectively and individually increase their knowledge of the Noble Shari`ah (Islamic Law), understand its teachings and rulings, spread Islamic thought and heritage, and revive the true Islamic culture. The foundation also builds scientific research centers, provides researchers and students of all fields with technical experience, grants, and scholarships, to give Muslims the chance to learn more about all fields of knowledge and different cultures so they can contribute to the current international scientific renaissance. The foundation offers assistance and establishes hospitals, sanatoriums,

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and different types of treatment, care, and rehabilitation centers, with the aim of generally improving the living, social, and economic standards of Muslims collectively and individually."

The committee's answer is as follows:

From what has been mentioned above, the wealth of the foundation does not belong to an individual, in fact it belongs to the charitable institute and is spent on charitable activities in general, such as Daw`ah (calling to Islam), building Masjids, and providing for the poor. The committee therefore decides that no Zakah is due on this foundation's funds or any similar funds that are not privately owned and are spent on charity, as these funds are considered as being under the same ruling as Waqf (endowments).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Zakah on money donated for charity

Fatwa no. 5161

Q:

A-

We agreed to deposit one hundred thousand Riyals (100000) in some banks without investing them in sales and purchases.

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Instead, it was intended to be on standby for any member of this community who experiences an accident and becomes liable to pay Diyah (blood money). Therein, the Diyah would be paid from the retained money. Is it permissible to keep this sum without investing it? Should Zakah (obligatory charity) be paid on it?

B-

We bought a local house in the city of Riyadh for one hundred and fifteen thousand Riyals (115.000) which at present is being rented annually for twelve thousand Riyals (12.000). Is this house subject to Zakah? What is the Zakah amount due considering that sometimes it remains unleased? Please, advise!

C-

We bought plots of land with the rest of the sum in Riyadh and Jeddah to insure the future. Is this land subject to Zakah or not? How much should be paid ?

D-

We agreed to distribute the Zakah payment to orphans, widows and those in debt among the members of this tribe, is this correct?

A: First: If this sum, more or less, is being collected as donations that nothing of it is distributed to the donors, when no accidents take place, and are spent in aspects of Charity; this is permissible. However, depositing it in a Riba-based bank is impermissible except in case of fear of loss when it is permissible to deposit it without interest as the lesser of two evils. It should be invested in trade or in any permissible type of investment until it is needed for the intended purpose.

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It should be spent to fulfill the original objective. Furthermore, Zakah is not obligatory on this money, if it is collected according to the previously mentioned manner. **Second:** If you buy a house with some of this money, you are not obliged to pay Zakah on it or on the rent gained, since it is allocated for charity and support. Also, because it does not belong to anyone of the money donors, therefore, it takes the same ruling of Waqf (endowment). **Third:** There is no Zakah on the land bought with the rest of the sum for the previously mentioned reasons, as they are no longer possessed by donors after being given in charity. **Fourth:** Distributing the money or its revenue amongst orphans, widows, indebted persons and other forms of charity is permissible if the donors agree. This is because it is

spent for purposes other than those for which it was collected. In this case, it is not considered Zakah, but Sadaqah (voluntary charity).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5230

Q: the tribe of Al Husayn in Al-Ahmar launched a fund to fulfill the needs of its members, such as for blood money

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or in case of disputes - may Allah protect us from this. Fifteen people participated in the fund, each paying 500 riyals in the first two months, and then 100 riyals every subsequent month. The fund was established on 28/8/1401 A.H. and it had grown to a total of 25,000 riyals by 28/8/1402 A.H. I put this money in an Islamic limited partnership project launched by Prince Muhammad Al-Faysal. I did not pay any Zakah on this money as I doubted whether it needed to be done as it belonged to a number of different people. I hope that you will advise me in this matter. I am waiting for your reply to know whether I must pay Zakah on this money or not. May Allah protect you!

A: If the reality is as you mentioned and the money that was donated is not to be repaid to those who gave it, and if the project fails, the money will be used to do charitable work, then no Zakah is due on this money. However, if the project ends and the participants have their shares in the money returned to them, then each one should pay the Zakah on his share after the passing of a lunar year.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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\`Abdullah ibn Qa\`ud	\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

zakah on money collected for charitable projects

Fatwa no. 11954

Q: We are a small family of no more than 28 people. The adult male members got together and we decided that each of us would pay 100 riyals every month to establish a cooperative fund. We would use it to pay compensation in case of any accident - Allah forbid. The money is not to be used for any other purpose, unless everybody agrees to that. The money will not be given back to any of the participants during their lifetime, but it will be included in their estate after their death. Should Zakah be paid on this fund? It should be mentioned that we continue to pay Zakah. I have read your book Fatawa, and in the first volume, on page number one hundred and eight, I read a Fatwa on a situation similar to mine, but I would still like you to give me an answer to my question, so I can set my heart at ease. Please answer me, and may Allah reward you the best!

A: As the money will be repaid to the participants' heirs after their death, Zakah is due on it every year, unless you remove this condition. If you use the money in order to draw close to Allah (Glorified be He) by using it for the purpose you identified, without returning it to the participants or their heirs, then no Zakah is due on the money.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

money deposited in chambers of commerce

Fatwa no. 9990

Q: In our region of Al-Bahah, a chamber of commerce was established to serve businessmen and traders by protecting them against fraud inside and outside Al-Bahah region and providing them with the necessary information. This chamber of commerce is a link between both the private and public sectors. It opens retained bank accounts for all the money collected from its members in order to cover the chamber's expenses, such as paying the employees' salaries, stationery expenses, furniture, etc. The money is deposited - according to the instructions and rules applied in the Kingdom of Saudi Arabia - in interest-free banks. Sometimes a lunar year passes over the surplus of this money. Therefore, we decided to write to you to ask whether we must pay 1/40 of the money in the banks as Zakah with the passing of each lunar year.We thank Allah, and we thank you for your cooperation and guiding us to what is beneficial to our life and religion.

A: Zakah is due on the chamber's money that is deposited in banks if it reaches the Nisab (the minimum amount on which Zakah is due) with the passing of a lunar year. This is because the money that is collected is mutually owned by people who must pay Zakah and this chamber serves their business interests. Thus, Zakah is due on the collected funds at a rate of 1/40 (that is 2.5%).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 11565

Q: The Commercial Industrial Chamber in Madinah is a public organization that represents businessmen, farmers, and members of the industrial sector. It is supervised by the Saudi Ministry of Commerce and is run by an elected board of directors. the Chamber's income is derived from fees collected from businessmen, industrialists and farmers, in addition to revenues from countersigning documents, the chamber's magazine, and an annual subsidy of 200,000 riyals from the Saudi government. The chamber has a surplus sum of almost 5,000,000 riyals and a lunar year has passed. Is Zakah due on this sum or not? Please answer us, may Allah reward you.

A: Zakah is due on the Chamber's surplus funds after every lunar year that passes.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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zakah on Charity Funds

The Second Question of Fatwa no. 1184

Q2: Some people gather in a house to study the Glorious Qur'an. They have agreed that each one of them will give 10 riyals every month to charity. If a lunar year passes and the money they have saved has reached the Nisab (the minimum amount above which Zakah is due), is Zakah payable on this money firstly? And how much is to be paid as Zakah on the 1.000 Riyals we have now?

A: If some people save money to spend it in charity and none of them gets any of the money, then there is no Zakah due on it, because it is no longer owned by them as they have dedicated it for charitable purposes.

As for the amount of Zakah due on the 1,000 Riyals, it is 2.5%, i.e. 25 Riyals, as the ruling on paying Zakah on paper money is like that on gold and silver.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Zakah on money dedicated to build a Masjid

Fatwa no. 11482

Q: I have a sum of money that I vowed to use in building a Masjid (mosque) and I am waiting for the approval to do so. I have had this money for a lunar year, is there any Zakah due on it or not? Please answer me, may Allah reward you the best.

A: If the matter is as you mentioned, there is no Zakah (obligatory charity) due on this money because it is vowed to be used as Sadaqah (voluntary charity) to build a Masjid.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 37

All praise be to Allah Alone, and peace and blessings be upon the final Prophet.

The Permanent Committee for Scholarly Researches and Ifta' has read question no. 339 sent by the Judge of Marat City on 12/10/1391 AH, to the Chairman of the Departments of Scholarly Research, Ifta', Daw`ah, and Guidance, which was referred by the Council of Senior Scholars under no. 15/2 on 12/1/1392 AH

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which states:

We are submitting a question that we received from a man asking about the Zakah due on 6000 riyals. He said his family dedicated their grandfather's house as Waqf (endowment). However, the house was in disrepair, so the heirs sold it for 6000 riyals with which they intended to buy another house. They lent this sum of money to some people and a lunar year had passed. The heirs want to know if they are to pay the Zakah due on this sum or not. We faced the following two problems while dealing with the issue:

Firstly: The money is originally the value of a house and it will be used to buy another house.

Secondly: One third of the house was established as Waqf by the aforementioned person. The number of his heirs is almost 50 people now. Please give your Fatwa in this regard.

A: The sum of 6000 riyals is the value of the house that was originally designated as a Waqf by the heirs' deceased grandfather, but when the house fell into disrepair, they sold it to buy another house. In this case, no Zakah is due on this sum because one of the conditions of paying Zakah is ownership and this condition has not been fulfilled in this case. The judge should make sure of the validity of the Waqf document and the reasons for having sold this Waqf.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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zakah on trusts

Fatwa no. 11905

Q: A sick man entrusted me with 200 silver riyals and told me to keep the money in case he died, and deliver it to his eldest son when he became an adult. The man died eight years later, and I delivered the sum to the dead man's heirs.

Is Zakah due on this sum of money? Should Zakah be taken from the money? Who is obliged to pay it - the heirs or myself as the trustee? Please clarify this for me and may Allah reward and protect you.

A: If the case is as mentioned, Zakah must be paid on the inheritance (the money) before distributing it to the heirs. In addition, Zakah is to be paid for the time before and after the man's death until the time of delivering the money to the heirs.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Zakah on an Inheritance

The first question of Fatwa no. 12367

Q 1: when should the Zakah on an inheritance be paid? Should it be paid when the heirs receive it or after they have had it for one year? Also what is the ruling on gifts, whether they are in the form of cash or real estate?

A: Zakah should be paid on an inheritance one year after the death of the deceased, because the ownership of the estate of someone who dies is transferred to their heirs from the date of their death. Zakah must be paid if an heir's share reaches the Nisab (the minimum amount on which Zakah is due) for money, or for gold or silver jewelry. No Zakah should be paid on any other inheritance, unless an heir prepares the estate for business. In this case, they should pay the Zakah on the estate one year after they had prepared it for business. As for a real estate, there is no Zakah to be paid upon it if it is not used for business, but if it is rented and the rent reaches the Nisab alone or when combined with any other assets or commercial commodities, then Zakah upon the rent is obligatory after it has been rented for one year. If the inheritance is in the form of camels, sheep, or cattle and they are used for profit, then the Zakah upon commercial commodities should be paid on them. If the property (of camels, sheep or cows) is just kept as an acquisition, then there is no Zakah to be paid on it, unless it meets two conditions:

First: It reaches the Nisab.

Second: The animals are freely grazed for one complete year or for most of the year. As for gifts,

all the rules of an inheritance are applicable to them, as detailed above.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Book of Zakah (obligatory charity) on commercial commodities

Ruling on Zakah of commercial commodities

Fatwa No. 2324

Q: A questioner from Morocco visited us and mentioned that the scholars of Morocco differed with regard to Zakah of commercial commodities. Some of them stated that Zakah on commercial commodities is obligatory while others opposed this and supported their opinion with the Ayah (Qur'anic verse) of Zakah which only mentions gold and silver. This latter group of scholars also mentioned that all kinds of wealth and commodities other than gold and silver do not follow them with regard to the obligation of Zakah. However, scholars agreed with regard to the other types of Zakah, meaning, Zakah on grain, fruit, camels, and sheep. Please explain this matter to us in writing so that the opponents become convinced. May Allah reward you.

A: First, jurists differed with regard to the obligation of paying zakah on commercial commodities. This Zakah was considered to be obligatory by the Jumhur (dominant majority of scholars) but not by Dawud ibn `Aly Al-Zhahiry and a group of other scholars. However, the Jumhur supported their view with the authentically reported Hadith on the authority of Abu Hurayrah (may Allah be pleased with him) that `Umar ibn Al-Khattab (may Allah be pleased with him) was sent by the Messenger of Allah (peace be upon him) to collect the due Zakah but the former said: " Al-`Abbas, Khalid, and Ibn Jamil refrained". Whereupon the Messenger of Allah (peace be upon him) said: ﴾You wrong Khalid for he confined his armor and military supplies to be used only for sake of Allah.﴿ This Hadith signifies that Khalid was requested to pay Zakah on his armor and military supplies and this could only happen if such things were considered commercial commodities.

Khalid did not use them for commerce but confined them to be used only for the sake of Allah (Exalted be He). The Jumhur also supported their view by what is related by Abu Dawud on the authority of Samurah ibn Jundub who said: ﴾Allah's Messenger (peace be upon him) ordered us to pay Zakah on all that we prepared for trade.﴿ The Jumhur also quoted the Hadith that is related by Al-Daraqutny on the authority of Abu Dhar (may Allah be pleased with him) who said: I heard the Messenger of Allah (peace be upon him) saying: ﴾Camels have their due Zakah; sheep have their due Zakah; and cloth has its due Zakah.﴿ Since scholars agreed that Zakah is not due on identical cloth, this verifies that it is due on the value thereof and this can only take place when the cloth is

intended for trade. Moreover, the Jumhur referred to the narration related by Imam Ahmad (may Allah be merciful with him) on the authority of Abu `Amr ibn Hamas from his father who said: " `Umar ordered me saying: 'Pay the Zakah which is due on your money'. I said: 'I have only a quiver and some condiments'. Whereupon `Umar said: 'Estimate their value and pay the Zakah thereof'." Moreover, the Jumhur quoted the narration that is authentically reported from `Abdul-Rahman ibn `Abdul-Qarry, who said: "I was in charge of Bayt-ul-Mal (Muslim treasury) during the era of `Umar ibn Al-Khattab and whenever the time of Zakah collection came he would collect merchants' properties, calculate the totals thereof along with the merchants' other properties that were not present, then `Umar would take the Zakah out of the present properties for that which was present and that which was not. Furthermore, the Jumhur supported their opinion with the authentic narration on the authority of Ibn `Abbas (may Allah be pleased with them both) who used to say: "There is no blame on you to wait until the time of selling

when Zakah is obligatory on your commodity." It is also authentically reported that Ibn `Umar (may Allah be pleased with him) said: "No Zakah is due on commodities unless they are intended for trade." All that has been narrated from the Sahabah (Companions of the Prophet) in this regard is renowned and not denied by anybody and this is tantamount to Ijma` (consensus of scholars). Explaining all these narrations as referring to Sadaqah (voluntary charity) not only goes against the apparent meaning but it also contradicts the wording of some of these Hadith and narrations which use the explicit word 'Zakah'.

On the other hand, scholars who held the view that Zakah is not obligatory on commercial commodities refer to a Hadith that is authentically reported from the Prophet (peace be upon him) that he said: ﴾No Zakah is due on less than five Uqiyyahs of silver (40 Dirhams of silver = 119 grams), and no Zakah is due on less than five camels.﴿ It is also authentically reported that the Prophet (peace be upon him) said: ﴾No Zakah is due on less than five Wasaqs (1 Wasaq = 60 Sa`s =130,320 kg) of dates or grains.﴿ In addition, it is authentically reported that the Prophet (peace be upon him) said: ﴾No Zakah is due on Muslims for their slaves or horses, except Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast).﴿ Moreover, it is authentically reported that when he (peace be upon him) clarified the percentages of Zakah which are due on camels, cows, sheep, and hoarded money; he was asked about horses, so he (peace be upon him) said: ﴾Keeping horses may be a source of reward to some people, a shelter to others (means of earning one's living), or a burden to some others.﴿ He (peace be upon him) was then asked about donkeys, whereupon he replied: ﴾Nothing has been revealed to me regarding this except the following unique and inclusive Ayah: ﴾So whosoever does good equal to the weight of an atom (or a small ant) shall see it.﴿ ﴿ The generality of this answer indicated that no Zakah is due on donkeys whether or not they are used for trade. However, this can be refuted by saying that the Hadith mentioned above meant that Zakah is not obligatory from the identical commodities referred to; rather, it is the value that should be paid. Consequently, there is no contradiction between the proofs quoted by the Jumhur and those quoted by their opponents regarding Zakah on commercial commodities.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 8895

Q 1: Ibn Hazm wrote in Al-Muhalla that, in his opinion, the Shari`ah (Islamic law) does not obligate Zakah on commercial commodities, and he refuted every opinion that supports this obligation. He even said, "Whoever issues a Fatwa that makes it lawful is fabricating lies against the Messenger of Allah (peace be upon him)." Ibn Hazm also said that Zakah is not obligatory on slaves, horses, chrysolite, corundum, or coral, as their value increases like the case with commercial commodities. He ranked the Hadith on this matter as Da`if (weak). Dear Shaykh, what is the correct opinion on this issue? If someone does not pay their Zakah based upon this opinion, will they be considered as forbidding Zakah? Is the Zhahiry (literalist) School considered to be a Sunni School that can be followed?

A: It has been confirmed that zakah is obligatory on money, whether it is gold or silver, by the Qur'an, Sunnah (whatever is reported from the Prophet) and Ijma` (consensus of scholars). Commercial commodities do not refer to commodities themselves,

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but to their value, whether in gold or silver. And matters are according to their intentions, as the Prophet (peace be upon him) said: ﴾Actions are but by intentions.﴿ Therefore, Zakah is not obligatory on slaves bought for service, horses bought for riding, houses bought to be lived in, or on clothes bought to be worn. Zakah is also not due on chrysolite, corundum, or coral, and the like, if they are bought for decoration. However, if all of these things are bought for sale, Zakah is due on them, because they are then intended to be used like gold or silver money or whatever can be used in its place. Ibn Hazm denied the obligation of Zakah on commercial commodities because he did not look at the justification for rulings. It is an invalid opinion to deny the justification for rulings. The correct opinion is that rulings have `Illah (effective cause), which might be known by some scholars who use it to infer other rulings; and which might not be known by other scholars who, thus, stick to the religious texts as was done by the Four Imams (Abu Hanifah, Malik, Al-Shafi`y, and Ahmad) and most Muslim scholars. Therefore, anyone who forbids Zakah to be paid on their commercial commodities is mistaken. Although some of the Hadith that obligate Muslims to pay Zakah on commercial commodities are Da`if, they can be used to support this obligation.

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13473

Q: I have a car spare parts shop, but I did not have enough money to cover all the costs of the shop. So I went to a big spare parts dealer and bought some spare parts from him on account (i.e. as a loan), for about 100,000 Saudi riyals. I have repaid him 60,000 riyals and the balance of the debt is now about 40,000 riyals. Should I add the 40,000 riyals that I owe as a debt to my annual inventory of the shop for the obligatory Zakah, or what should I do? Please, answer me.

Note: Every year i am required by the state to pay a specified sum of money to the Department of Zakah and income Tax, but this sum does not equal the amount of Zakah i should pay on my wealth. Should i deduct this sum from the amount of Zakah due on my wealth? For example, if the Zakah due on my wealth is 1,000 riyals and I pay them 200 riyals as Zakah, there will be 800 riyals left from the Zakah due on my wealth. Can I deduct these 200 riyals or should I pay the whole amount of Zakah? Please answer me, may Allah bless you!

A: Firstly, you must pay Zakah on all the wealth you have, both on the cash and the goods you have for sale after having them for a complete lunar year, if their value

is over the Nisab (the minimum amount on which Zakah is due). This includes the 40,000 riyals that you owe, because being in debt does not exempt you from paying Zakah.

Secondly, the money you pay, intending it to be Zakah, to the Department of Zakah and Income Tax, is a legitimate payment of Zakah.

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zakah on foods bought for eating

The First Question of Fatwa no. 820

Q1: I had one thousand Saudi Riyals with which I bought some foodstuff which I intended to eat, and it was not my intention to trade in them. A full lunar year or two passed while these foodstuff were in my possession, as I did not need to consume them. Is there any Zakah due on these foodstuff or not?

A: If the reality is as you mentioned, and you bought these foods with the intention of eating them and not to trade in them, and it happened that you did not use them and they remained with you to be used in the future, then no Zakah is due on them. However, if you bought them with the intention of trading in them or if you bought them - though you were not in need of them -

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merely to avoid paying the Zakah on money, then you must pay the Zakah on these foodstuff's value with the passage of one lunar year.

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Fatwa no. 1428

Q: some years ago, in the month of Ramadan, I bought a piece of land with the intent to sell it. In the month of Rabi` of this year, I sold the land and used part of the money I got from it to meet some of my personal needs. I still have some of the money from the sale left over and I want to use it to buy a house to live in or do some business. Should I pay the Zakah due on this sum in Ramadan or in Rabi`?

A: Since this sum is part of the price of the land that you bought in Ramadan, you must pay the Zakah on this sum in Ramadan, not in Rabi`.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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zakah due on money remaining from a real estate fund loan

Fatwa no. 2654

Q: A poor man took out a loan from the Real Estate Development Fund in order to build a house. After building the house, the man had some money left over, which he used for trade later on. Currently, this man is paying back the loan from the money he earns from the business. Is it obligatory for him to pay the Zakah due on this sum of money? Does this money belong to him or to the fund?

A: The loan the man took from the fund is considered part of his money and he must pay Zakah on it if a lunar year has passed and the sum itself reaches the Nisab (minimum amount on which Zakah is due), or if it reaches the Nisab when combined with the rest of the man's money and the profits he gains.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa No. 2684

Q: i have a sum of money that i bought merchandise with and added it to other trade goods that are also kept for commercial purposes. The lunar year has not passed regarding all the commercial items, how should i pay Zakah (obligatory charity) on these merchandises?

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A: If you buy such goods for commercial purposes in addition to other goods you had before, then you are obliged to pay Zakah if they reach the Nisab (the minimum amount on which Zakah is due) either by itself or by addition to other money, and a full lunar year passes from the date of your intention to use it for trade. Thus, estimate the value of your merchandise after the elapse of one lunar year and pay 2.5% as Zakah i.e., for every one hundred riyals, two riyals and half are due as Zakah. Likewise, for every one thousand riyals, 25 riyals and so on.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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calculation of Zakah on commercial commodities

The fourth question of Fatwa no. 5395

Q 4: Is the Zakah on commercial commodities calculated according to the price for which they are bought, or according to the market price when the Zakah is due? Is the Hawl (a lunar year) calculated starting from the time of reaching the Nisab (the minimum amount on which Zakah is due) or from the time of starting to raise the money? For instance,

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if a person has an amount of money that is less than the Nisab, and by the end of the year it reaches the Nisab, should he pay Zakah at the end of the year, or start calculating a new year since the time of reaching the Nisab?

A: The Hawl starts from the day the amount reaches the Nisab; not from the day that a person had any sum of money or commercial commodities less than the Nisab. In the example mentioned, the Hawl does not start from the day of beginning to raise the money, but rather from the day when the Nisab was reached. The value of the commercial commodities is calculated after a Hawl has passed.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6266

Q: The Messenger of Allah (peace be upon him) said: "Pay Zakah according to the estimated price of today." If this Hadith is authentic, what does it mean? Does this Hadith apply to what is known nowadays as standardization of accounting statements? What are the textual evidences from the Qur'an and Sunnah which oblige us to estimate the due share of Zakah according to the current value of objects? What is the rationale behind this?

A: As far as we know, the Prophet (peace be upon him) is not authentically reported to have said: "Pay Zakah according to the

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estimated price of today." However, scholars who hold the view that zakah is due on commercial commodities like gold and silver or banknotes, consider that these commodities are mainly used for trading purposes which bring higher profits. That is why Zakah becomes due on their estimated value when it reaches the prescribed Nisab (the minimum amount on which Zakah is due) and a full lunar year has elapsed. A Hadith is narrated in this respect on the authority of Abu Dawud (may Allah be merciful with him) from Samurah Ibn Jundub (may Allah be pleased with him) who said: (The Messenger of Allah (peace be upon him) ordered us to pay the sadaqah (Zakah) on what we prepared for trade.) Another Hadith narrated to the same effect on the authority of Abu Dharr (may Allah be pleased with him) also supports the above Hadith.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 6359

Q 3: Every year at the beginning of the month of Muharam, a fabric and perfume trader estimates his goods and pays the due Zakah (obligatory charity) according to the purchase price. He does this estimation on all the goods he has whether or not one year has passed. Is this act permissible?

A: the permissible method is that when one year passes, he estimates the commercial commodities according to the market price at that time [of estimation]

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regardless of the purchase price. If he estimates the commercial commodities which have been in his possession for less than one year, and adds the due amount of these commodities to the amount of the commodities that he kept for a complete year, there will be no harm. Paying Zakah in advance is permissible and beneficial for the channels of spending Zakah.

May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6390

Q: I have a grocery store as part of my house, which is not rented. The value of the goods I have for sale is 70,000 riyals, but I do not own any other capital. These assets belong to other people, but I have had these commercial commodities that equal 70,000 riyals for a lunar year, should I pay Zakah on them or Sadaqah (voluntary charity)? Please answer me, may Allay bless you and let you help Muslims!

A: If the reality is as you mentioned, Zakah is due on the value of the commercial commodities that you have had for a lunar year, and the same applies to any profit from them. being indebted to people does not exempt you from paying the Zakah on the property that you have. May Allah help you repay your debts!

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The fourth question of Fatwa no. 8180

Q 4: how can a person who puts his money in stocks pay Zakah? Does he pay Zakah on the profits? And should he pay Zakah immediately once a lunar year has passed? Or is it permissible to wait till Ramadan? What is the ruling?

A: A Muslim has to pay Zakah on both the capital and its profit immediately after the passing of a full lunar year, as Allah (Glorified be He) says: ﴿And perform As-Salât (Iqâmat-as-Salât), and give Zakât and obey the Messenger (Muhammad صلى الله عليه وسلم) that you may receive mercy (from Allâh).﴾ This Ayah (Qur'anic verse), as well as other Ayahs and Hadith to the same effect, oblige Muslims to pay Zakah immediately.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa No. 8499

Q: I am a young man who wants to marry in order to fulfill my legal duties in the best way. Therefore, I ask your Eminence about Zakah due on a shop that sells clothing and another one that sells ready made clothes attached to it, which I own. The capital of this shop is 100,000 Riyals which I borrowed from my father (may he live long). One full lunar year has passed since I opened the shop and until now I have not paid my father but a small portion of the loan. My question is: How can I pay Zakah on this shop? And how can I estimate the value of the goods there; should it be according to whole purchase, partial sale or according to the daily sales? Should I pay Zakah even though I have not paid the rest of the loan to my father? What is the amount that must be paid in this case? I have a piece of land, and I have not made up my mind concerning it yet. One day I decide to build it as a villa because I have no private residence and another day I decide to assign it as shops to sell, until now I have not decided anything about it. Should I pay Zakah on this land, and what is the amount that must be paid for it?

A: Firstly: If the shop is as you have mentioned,

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you should pay Zakah on the articles prepared for sale with the price when the full lunar year passes according to the whole bulk account plus the cash you have. The debt that you owe your father does not prevent you from paying Zakah according to the most preponderant view of the scholars.

Secondly: There is no Zakah on the land you mentioned as long as you have not decided to sell it.

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zakah on a property used for investment

The First and Second Questions of Fatwa no. 18

Q1: A man bought a piece of land - where a house can be built - seven years ago near a city, hoping that one day someone will buy it. The land's value is its price plus a small profit. Is there any Zakah due on its value? Should Zakah be paid before or after receiving its price? Also, should the Zakah be paid for one lunar year or for all the past lunar years?

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A: This land is a commercial commodity whose Zakah becomes payable when a full lunar year has passed. Its Zakah is 2.5% of its value and it is obligatory to pay it for all the past years.

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Q2: a man bought a piece of land that he planned to build a house on, either to live in himself or to rent out. Many years have passed, but the man has not used the land yet. Is there any Zakah due on the land? Should Zakah be paid for one lunar year or for all the years?

A: No, there is no Zakah due on this land, because it is not regarded a commercial property.

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Fatwa no. 890

Q: How should we include lands that are bought for the purpose of trade when we calculate Zakah (obligatory charity)? Should we calculate according to the price for which we bought the lands or according to the market value at the due time for paying Zakah?

A: lands intended for trade are treated as commercial commodities. The general principle in Islamic Shari`ah is that Zakah on commercial commodities

is calculated upon the completion of one [Hijri] year according to market prices at the time of paying Zakah. This is so regardless of the price for which they were bought, and whether that was more or less than the price for which they were originally bought. The Zakah should be paid on the value of the commodity. The rate of Zakah is one-quarter of one-tenth. Therefore, for a piece of land that is worth one thousand riyals, for example, the Zakah is twenty-five riyals, and so on.

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Fatwa No. 1346

Praise be to Allah Alone; to commence: The Permanent Committee for Scholarly Research and Ifta' has perused the request for Fatwa sent by his Eminence, the judge of Al-Jamsh Court in the letter No.1019 on 2/7/1369 A.H. with regard to his question about zakah on land shared by some people. Does it have the same ruling as articles of merchandise or fixed real estate?

After having studied the request, the answer of the Committee comes as follows:

If a person owns real estate with the intention of doing business whether it is a joint property or entirely possessed by him then the ruling on articles of merchandise applies to it.

So Zakah has to be paid on its value if it reaches the Nisab (the minimum amount on which Zakah is due) and has remained in his possession for one year. To estimate the value of real estate after it remains in your possession for one year, you may resort to experts in this field, and Allah knows best!

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 4247

Q 2: seventeen years ago, the government granted me a piece of land which I sold. Knowing that the price of the land nowadays is much greater than it was 17 years ago, how can I pay Zakah for all these years?

A: You have to start calculating the Zakah for this land a year after the intention was made to sell it. Accordingly, you should work out the value (of the land) when the year has passed, and pay the amount of zakah on this value since the land comes under the category of commercial commodities.

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Fatwa No. 1418

Q: a group of people bought a piece of land for trade. They have kept it for a whole lunar year, are they obliged to pay Zakah (obligatory charity) on it every year or just for one year when selling it?

A: If the case is so, then this land is considered as other trade goods upon which Zakah is due by the passing of a whole lunar year.

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Fatwa no. 1767

Q: a man owns a piece of land that is worth one hundred thousand riyals. He owns the land for the purpose of trade and a lunar year has elapsed since he bought it. However, this man only owns this piece of land. Should he ask for a loan in order to pay its Zakah (obligatory charity) or should he wait until it is sold and then pay the Zakah for the previous period as some people say. If he pays Zakah for the past years after selling the land, how can he estimate the due Zakah for these previous years because the value of the land varies from one year to another?

A: Zakah is due on this land whenever one lunar year elapses. This person should pay Zakah if he has sufficient money with the passing of every lunar year.

If he does not have enough money to pay the Zakah, he does not have to borrow even though it is permissible. If he did not borrow the money, he should pay the Zakah on the past period when he sells the land or when he has enough money.

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Zakah on land

The first question of Fatwa no. 2018

Q 1: I own a piece of land in the city of Nagran. The land's current value is estimated at nearly 60000 riyals. It came into my possession three years ago. Am I required to pay Zakah on it annually, though it is currently not used for cultivation?

A: If this land is prepared for trading purposes, you have to pay Zakah for the past three years according to the estimated value of the trading profit. Zakah has to be paid upon the lapse of every lunar year. No Zakah is liable if this land is intended for lodging purposes. If a building is constructed on this land for the purpose of renting,

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Zakah will become due on the rent provided that a full lunar year has elapsed and and the rent reaches the prescribed Nisab (the minimum amount on which Zakah is due) whether by itself or by adding another amount to it. If the intention is to turn it into a cultivated land, Zakah will be due on the produce it yields of grains and fruits.

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agricultural Land that becomes Habitable

Fourth question from Fatwa No. 2193

Q 4: I bought an agricultural land and people needed to build on it. Its value at the time of purchase was not very high, but now as it has buildings, its value multiplied and many people live in it as `Ariyah (permission to benefit from a borrowed article whose use is permissible, which is eventually returned to its owner). Does this piece of land come under the commercial goods that should be estimated to pay Zakah for it? Or are the people living in it without paying rent sufficient till the time comes when I sell it? Kindly, give us your Fatwa. May you be rewarded with the best of this world and the blessings of the Hereafter.

A: If you bought this piece of land for trade, then

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it is regarded as a trade good that is to be estimated after the elapse of a lunar year of possessing its price. Zakah should then be paid for it. In this case, giving it as `Ariyah for living is not a substitute for paying its due Zakah.

On the other hand, if you bought it with the intention of keeping it, not re-selling it, there is no Zakah due on it until the buyer intends to use it for trade. As such, the year with regard to trade goods starts from the time of the intention, for it is reported on the authority of Samurah ibn Jundub (may Allah be pleased with him) that he said: (We used to pay the sadaqah (Zakah) on what we prepared for trade.)

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Fatwa no. 2782

Q: zakah on land intended for sale and purchase. Shaykh Ahmad Muhammad Jamal commented in Al-Bilad newspaper on 12th of Ramadan, 1399 A.H., on my remarks concerning Zakah (obligatory charity) on land that is intended for sale and purchase. He affirmed that this Zakah is obligatory. However, a land trader phoned and blamed me for opening this issue. This trader said that Zakah should be paid on movable things, only not on land. I tried to convince him that land comes under the category of commercial commodities, but I failed. I hope that your Eminence would clarify this issue. May Allah reward you best.

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for Islam and Muslims!

A: Zakah must be paid on land that is intended for sale and purchase, because they come under the category of commercial commodities, so they are included in the general meaning of the evidence in the Qur'an and Sunnah that clarifies the obligation of Zakah. Allah says: ﴾Take Sadaqah (alms) from their wealth in order to purify them and sanctify them with it﴿ Moreover, Abu Dawud narrated through a good Sanad (chain of narrators) that Samurah Ibn Jundub (may Allah be pleased with him) said: ﴾The Messenger of Allah (peace be upon him) ordered us to pay the sadaqah (zakah) on what we prepared for sale.﴿ This is also the view of the majority of scholars, and it is the correct one.

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Zakah on rented buildings

The Fifth Question of Fatwa no. 327

Q5: I have a wealthy brother, who invests his money in buildings, shops, and lands, and he rents them out. I advised him to pay

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the Zakah on all his assets and his profits, but he told me that Zakah was only due on the rents, not the assets nor the capital, and that was only if they remain in his possession for a full lunar year before he spent them on buying another building. Many people do the same as my brother; is it permissible to do this in Islam without being a sinner? what is the type of real estate on whose rent and value Zakah is not due until a lunar year has passed? Is there a limit to this or does it apply to any amount?

A: There are many different types of wealth that people can own, one of them is money. When the money reaches the Nisab (the minimum amount on which Zakah is due) and a lunar year has passed, Zakah becomes due on it. Another type is agricultural land and its Zakah is due on its grain or fruit produce at the time of harvest, but not on the value of the land itself. A third type of wealth is rented out lands or buildings, on whose rents Zakah is due once a lunar year has passed on the rents, but not on the value of the lands or the buildings themselves. A fourth type is lands, buildings, or commercial commodities that are intended for sale, Zakah is due on them if they are owned for a full lunar year, and this applies to both their profit and their capital if their value reaches the Nisab.

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zakah on Waqf

The First Question of Fatwa no. 3988

Q1: I bought a piece of land in 1395 A.H and in the year 1398 A.H, I wrote a will dedicating this land as Waqf (endowment) so that my parents and I will receive the reward for this good deed. The will is to be executed after my death and since the time I wrote the will, I have not paid Zakah on this land, under the assumption that there is no Zakah due on it. However, recently a man told me that Zakah is in fact due on the land. At the current time, I am thinking of selling this land and buying a better piece of land. What is the ruling on this? Am I sinful for delaying the Zakah payment on this land? If so, how can I expiate for my sin?

A: If the reality is as you mentioned, no Zakah is due on this land. However, if you intend to sell it and buy another better piece of land and dedicate it as Waqf, then Zakah is due on this land at the end of each lunar year starting from the time that you first intend to sell it. Merely thinking about selling this land without the actual intention to do so does not make it subject to the payment of Zakah.

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First and second questions of Fatwa No 5531

Q 1: a man granted his children some land, is it obligatory to pay Zakah on these grants? If so, should they pay it with arrears as from the date in which they received the land? Or should they only pay Zakah from the date when they became aware of its obligation?

A: If the people who were granted these lands have dedicated them for trade, it is obligatory on them to pay Zakah from the date of dedicating the lands for trade; not from the date they received them and also not from the date that they became aware of such obligation. On the other hand, if they have not dedicated the land for trade but for building houses for themselves to live in or to rent, it is not obligatory to pay Zakah.

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Q 2: some land has been granted to children who are not yet adults. should their guardians pay the Zakah (obligatory charity) thereof on their behalf? What is the due date of this Zakah?

A: If the guardians of these children dedicated the lands for trade to safeguard the interest of children by investing their money, it is obligatory on the former to pay Zakah on the value of such lands whenever one full lunar year passes from the date of dedicating the lands for trade. However, if these children do not have money to pay for Zakah, it is permissible for their guardians to postpone the payment thereof until the lands are sold, then they should pay it with arrears calculating the date from the time the land was dedicated for trade.

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Second question of Fatwa No. 5781

Q 2: We are a family that consists of brothers, sisters, and a mother but the man of the family passed away. One of my sisters owns a three storey building which is mortgaged by a bank and she pays the installments thereof out of the rent during the period of Hajj. On the other hand, my mother owns a two storey building and we all share a third building that has three floors. It may be important to mention that all these buildings remain vacant for the entire year with the exception of the days of the Hajj season. Moreover, my sisters own golden jewels as other girls usually do and they wear them. Finally, we sold a piece of land that we previously owned for a specific sum of money, then we bought with half its value another piece of land with a house on it. There was a lot of confusion with regard to paying Zakah (obligatory charity) on all these things, if any was to be paid. It may be important to mention that we usually have a lot of money after the Hajj season, then we buy some of our needs and only a little money remains. I hope that your Eminence can clarify this matter and tell us what things should we pay Zakah on and what things we should not. How can we pay Zakah for the past years bearing in mind that we merge the revenues of the three buildings together.

A: First, you should not pay any Zakah on buildings that you dedicate for your place of residence, not for trade. However, regarding the buildings that you dedicate to renting and make use of the rental money; it is obligatory that you pay Zakah on the value of the rent when it reaches a Nisab (the minimum amount on which Zakah is due) and a Hawl (one full lunar year) ends. Zakah is not due on the value of such houses. On the contrary, it is due on the value of the houses which are dedicated for trade whenever a Hawl ends.

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Second, according to the most proper of the two opinions of scholars, Zakah is obligatory on women's jewels whenever a Hawl ends even if such jewels are usually worn. This only applies when the value of the jewels reaches the Nisab. Third, according to what was mentioned above, anything on which Zakah is obligatory but it was not paid at its due time; such Zakah should be paid on each specific thing according to the value thereof at the time at which the Hawl ended.

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Second question of Fatwa No. 6012

Q 2: I bought a piece of residential land by installments in my town in the area of Jizan that is called Al-Shaqiq. I paid the whole price of the land but after a period of time I thought to sell it when its price rose. The value of the land then reached seventy thousand Riyals even though I paid only nine thousand Riyals in installments for it as I mentioned above. However, this was five years after I had paid all the installments. My question is: Should I pay Zakah (obligatory charity) on this land on a yearly basis, just one time, or in what other specific manner? If that Zakah should be paid, should it be paid on the value that I initially paid, meaning, nine thousand Riyals or on the current one? It is important to mention that I do not have any income other than my monthly salary, I have a large family, and thus can not pay Zakah on the current value of the concerned land. I do not like to sell it and I do not own anything other than it. I do not own any house and I do not have any income other than my salary bearing in mind that I live in a rented home in the area of

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Jeddah for twenty-four thousand Riyals. What is your opinion regarding this situation? Please guide us with your beneficial answer. May Allah reward you with the best in this world and in the hereafter.

A: If you owned a piece of residential land then you dedicated it for trade, Zakah is obligatory to be paid on it as from the date it was dedicated for trade. Whenever a Hawl (one full lunar year) passes, you should pay Zakah on your land according to its market value at the time of the completion of the year. On the contrary, if you dedicate the land for your and your family's place of residence, no Zakah should be paid on it.

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Fourth question of Fatwa No. 6316

Q 4: Someone bought a piece of land in a location which is far from the city because its price was suitable for their income. They like to keep the land until it is provided with public utilities so as to be able to build their houses on it. Is it obligatory on them to pay Zakah on this land? It may be important to mention that the owner of land may sell it after a period of time and collect its price with other possible savings from their salary to buy another piece of land that is in a nearer location to the city.

Zakah is only obligatory on land which is dedicated for selling or trading.

If the person in question bought the land to build a house to live in, no Zakah is obligatory on it because it is not considered a commercial commodity. Any subsequent accidental sale of the same land for reasons other than trade, such as what is mentioned in the question, does not obligate Zakah.

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Sixth and seventh questions from Fatwa No. 1786

Q 6: if i own a building or hospital and use them as a source of income, do i have to pay Zakah on the value of the buildings or the revenue?

A: If the situation is as you have mentioned, then Zakah has to be paid on the revenue when it reaches the Nisab (the minimum amount on which Zakah is due) and remains in your possession for one year. It should not be paid on the value of the building or the hospital itself. This is the same as the case of Zakah on farm lands where Zakah is not paid on the value of the farm itself but on the crops, such as grains or fruits.

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Q 7: if i have a building outside the Kingdom of Saudi Arabia and the country which it is located in takes taxes on this building, should I pay Zakah on it or not?

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A: Zakah is obligatory on the cash saved from the building as long as it is constructed for receiving benefit from its income when it reaches the Nisab (the minimum amount on which Zakah is due) of Zakah and one full lunar year elapses. It is not enough to pay taxes on the building as paying taxes does not cancel the obligation of Zakah. However, if it was prepared for trade, Zakah is obligatory on its value and the cash gained every year because of what has been related by Abu Dawud on the authority of Samurah ibn Jundub (may Allah be pleased with him) that he said: (The Messenger of Allah (peace be upon him) ordered us to pay the Sadaqah (Zakah) on what we prepared for trade.)

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The fifth question of Fatwa no. 6479

Q 5: I possess 50 000 riyals. Instead of putting this sum in the bank, I purchased a piece of land. When I need money, I will sell the land. Is Zakah due on the increase in the value of the land?

A: a person who purchases land or is granted it as a gift then intends to prepare it

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for trading purposes is required to pay a 2.5% share of Zakah provided that a full lunar year has passed and that the land's value is estimated at the time when Zakah becomes due. However, if the land is purchased for lodging purposes, no Zakah is due on it unless there is intention to use it for trading purposes in the future. In this case Zakah becomes due after a full lunar year has elapsed from the time the intention is made. If the land is purchased to be used for renting, Zakah becomes due on the rent if it reaches the prescribed Nisab (the minimum amount on which Zakah is due) and a full lunar year has elapsed.

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The fourth, sixth, seventh, and ninth questions of Fatwa no. 12756

Q 4: We own a land on which public facilities, such as schools and post offices, were built. We cannot offer the land for sale, except with the approval of the authorities if they do not want to buy it. However, if they want to buy it, they may do so by paying the full value of the land; otherwise we may offer it for sale. We have been waiting for the authorities' approval for many years now. Should we pay Zakah during this waiting period? If we sell the land, should we pay Zakah for one year or for all the previous years? There are two situations:

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First: The authorities can buy it according to an agreed upon price.

Second: The authorities agree to leave the land and give us a letter confirming this. They then need to give their agreement for us to convert the buildings into residences, so we can offer them for sale and sell them for their market price.

We have already calculated the Zakah due on this land from the time we have bought it until the time of offering it for sale either to the authorities or to individuals. should we pay Zakah during this forced waiting period?

A: If you have been forbidden from having control over the land, there is no Zakah due on it until you have regained control. You will have to pay the due Zakah on the land after you have had control over it for a lunar year. You should not try to get the money back that you paid to the poor as Zakah nor should you consider it as a payment of the Zakah due on any other wealth in the future.

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Q 6: we donated land and villas to our relatives intending them to be from our Zakah. Is this permissible?

A: If the people you gave the land and villas to are poor and deserve Zakah and you intended to give them as Zakah, then it is permissible according to the most preponderant opinion of the scholars.

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Q 7: We have invested some money to buy stocks in companies, knowing

that some of the companies take off the obligatory Zakah funds before distributing the profits and some of them do not calculate the Zakah. Should we pay Zakah on the capital or the profits of these companies? Please note that there are two types of shares:

1- Those bought with the aim of getting a profit and not for sale.

2- Those bought for sale as commercial commodity.

A: You have to pay Zakah every year on shares bought for sale and for profit. If the companies pay Zakah on the shares with the shareholders' permission, that is sufficient. As for shares bought for investment only, Zakah is obligatory on their profit after a lunar year elapses, unless these are monetary shares, in that case Zakah is due on the capital and the profit.

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Q 9: In the past we used to give our employees and workers a one month bonus in Ramadan. We gave them this money intending it to be Zakah. Some of them have a right to receive Zakah; others are non-Muslims, but we gave it to them to attract their hearts to Islam and to show them the justice of the religion. We gave them the same amount as we gave to the Muslims, as they all live and work in the same place, and because we hoped to attract their hearts to Islam. Is this permissible, and if not, what should we do?

A: It is not acceptable to give Zakah to people who do not have a right to it.

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You, therefore, have to give it once again to those people who do have a right to it. As for the Muslim workers and employees who have a right to receive Zakah, it is acceptable to give it to them, unless you just give it to them with the intention of giving generously in the month of Ramadan or with the intention of purifying your money. In this case it will not count as your Zakah, whether you distribute it from Zakah money or from any other money.

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real Estate for residency or rent purposes

The First Question of Fatwa no. 4002

Q1: Last year my husband bought a house in Egypt. We live in one part of this house and rent out the rest. Is Zakah due on the rent we receive or on the value of the house itself?

A: Zakah is due on the rent that remains in your possession for one lunar year. However, if you spend it before the end of the lunar year, no Zakah is due on it. As for the building itself, no Zakah is due on it as you bought it to live in and rent, and not to sell.

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First question from Fatwa No. 4733

Q 1: I have a house that has two floors; each floor has two apartments. I rented the ground floor for 36,000 Riyals per year. We took 300,000 Riyals as a loan from the State (may Allah support its ruler). The sum should be paid in installments for about twenty five years. The value of the installment is 10,000 Riyals per year after the deduction of 20%. I owe the contractor who built the house money which should be repaid in installments as we pay 30,000 Riyals per year. The question now is: Should we pay Zakah on the mentioned amount after we pay the installments; taking into consideration that we raised the amount ourselves?

A: If the situation is as you have mentioned that the fee for the ground floor was paid for settling the installment of the loan and the installment of the contractor and nothing of the fee is left, there is no Zakah due on the fee if you paid it before the passing of one full lunar year from the due date.

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The first question of fatwa no. 6607

Q 1: i lent some of my friends and relatives a sum of money. Must i pay the Zakah due on this sum of money every year?

A: If the amount of the loan, whether alone or combined with your other money, reaches the Nisab (minimum amount on which Zakah is due) then the lender, as opposed to the borrower, must pay the Zakah on the amount of the loan for every lunar year that passes in the case that the borrower is solvent.

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The Second Question of Fatwa no. 3047

Q2: our company owns some equipment that is necessary for our work, such as cars, compressors, dumper trucks, and concrete mixers, is Zakah due on this equipment or not?

A: Zakah is due on the rental if you hire the equipment out, if you keep it for a lunar year,

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and it reaches the Nisab (the minimum amount upon which Zakah is due). If the company's owner uses this equipment to do contract work, he has to pay Zakah on the money he earns from this work on the contracts once he has had it for a lunar year. No Zakah is due on the equipment or its value, because it is intended for use, not for sale.

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The second question of Fatwa no. 8844

Q 2: I would like to hear your opinion on this issue. I bought a piece of land on which to build a house to live in, but I have not built the house yet as I have been unable to. After a while, someone asked me to rent the land for 5,000 riyals and I did so. Am I obliged to pay Zakah on this land? Please answer me, and may Allah reward you!

A: Zakah is due on the rent you earn from the land if it remains in your possession for one lunar year and it reaches the Nisab (the minimum amount on which Zakah is due), whether by itself or when combined with other things of value or commercial commodities that you have.

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Fatwa No. 12437

Q: When should I calculate Zakah on the revenue of a rented estate? Is it a year after concluding the contract or a year from receiving the rent? May Allah protect you!

A: zakah on the revenue of a rented estate is calculated a year after concluding the contract.

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Fatwa no. (12748)

Q: i have a shop for renting carpets, tents and lamp clusters. i would like to know how i should pay the due Zakah (obligatory charity) on this shop? Please advise me in this regard, knowing that a year has passed since I opened this shop, but I have not saved any money from its revenue. Advise me on this, May Allah reward you amply.

A: If all the goods in your shop are for rent purposes only, then no Zakah is due on them, except for the money saved from the revenue of the rent if a year passes. The due amount of Zakah

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in this case will be 2.5 %.

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The first question of Fatwa no. 12099

Q 1: Your Eminence, how should Zakah be paid? I own a wood shop, and a Hawl (a lunar year) has passed on the commodities in the shop, but I am in debt as I bought the commodities on credit. There is also some annual expenditure, such as the rent of the shop, renewal of the annual license, taxes, insurance and the workers' wages.

A: Zakah is due on goods for sale, such as wood, if they reach the Nisab (the minimum amount on which Zakah is due) on their own or by being added to the money or the commercial commodities you have, and a Hawl passes. The debts, the rent and the other fees, have nothing to do with the obligation of paying Zakah.

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The second question of Fatwa no. 1670

Q 2: How can we calculate the zakah (obligatory charity) on trucks and taxis? Is it paid on the value or the income of these vehicles?

A: The Zakah must be paid on the money obtained from renting these vehicles, not on their value if one year passes on the money that was gained and is in the owner's possession [has not been spent].

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Zakah on Shares

Fatwa no. 4098

Q: We bought 300,000 Saudi riyals of shares on 16/2/1396 A.H from which we made 534,000 riyals of profit. We received 350,000 riyals of this on 13/5/1401 A.H. and the rest of the money is still on the way. We would like to know how much Zakah is due on this money between these two dates. Should we pay Zakah on the capital or on both the capital and the profit?

A: zakah is due on the capital and the profit if a lunar year has passed

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since you owned the capital. Zakah must be paid on the profit from the time of its origin, and you must pay the Zakah for the previous years by calculating the amount. As for the rest of the money, whoever has it should pay the Zakah on it for the years they have had it, and if they pay the Zakah on it before receiving the money, this is permissible and they will be rewarded for this.

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Fatwa No. 3332

Q: My question is about Zakah on the articles of merchandise such as investing in buying shares in lands as people do nowadays. If a man holds a share with the value of 10,000 Riyals in a land which remained for five years then was sold. The profits of selling this land were distributed to the shareholders. The man who held a share with the value of 10,000 Riyals received 35,000 Riyals including the capital and profits. Should Zakah be paid on the capital and the profits? Should it only be paid for the last year in which the land was sold and the man took his share or on the value of his share over the last five years? I hope you will advise me on this.

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A: A person has to pay Zakah on each of the last four years, each year according to the changing value of the land, whether the land generated profits or not, then to pay Zakah in the last year on the profits along with the capital money.

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The fourteenth question of Fatwa no. 9253

Q 14: is Zakah due on the cars that people use, as some people keep their cars for more than one lunar year? How should the Zakah be paid on a car? Is the Zakah due on the value of a car when it was bought or on its current value?

A: If a car is bought as an acquisition or to be used, no Zakah is due on it.

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First and third Questions from Fatwa No. 214

Q 1: i have a taxi that transfers people between cities; should i pay Zakah for it?

A: This car is similar to a house prepared for renting. If a house is rented, then Zakah becomes due in its revenue after the passage of a full lunar year of its renting.

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Likewise, Zakah is due in what is saved of its revenue after the passage of a full lunar year. You are not required to pay Zakah on the value of this car.

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Q 3: i have a petrol station leased by someone; should i pay Zakah (obligatory charity) on it or not?

A: Zakah is due on the rent paid, not on the actual asset of the station as declared in the first question.

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Fatwa No. 4231

Q: It is well known that people are dealing in shares through which they buy real estate. Some of them freeze their funds for years during which they increase and decrease for a period of time that might extend to four, five, or more years. If its owner wants to sell them in the market before Zakah is due on real estates, these shares might increase or decrease in terms of the value with which he bought them. This case can remain for a number of years. The said owner might also have some money invested in lands and he intends to sell them when the market goes up and so on. The question is: Is a person obliged to pay annual Zakah on shares invested in real estate

which have not been sold until now although they remained with their actual value for a long period of time, or even less than its actual value in the market? As for the lands bought for trading and earning money, is there any annual Zakah on them as in the case of traded goods? Or is paying Zakah on these lands delayed until its owner sells them according to the opinion of some scholars, because many years might have passed and they have the same value without increasing or decreasing. Similarly, if these lands are subject to Zakah, should it be paid every year regardless of how many years pass or just once? And if the owner sells the lands, is he obliged to pay Zakah for the elapsed years or just for one year? It should be mentioned that the person might invest large sums of money in these shares and real estate, and if he wants to pay its due Zakah, he gets a loan or sells some of them, i.e. he keeps money but when he has money he buys more shares and estate.

A: The shares mentioned in the question are a kind of trade goods, so Zakah must be paid on them. They should be evaluated every year according to their current value, not the purchase price. If the owner has money, he may pay from it, otherwise he should pay Zakah for the past years from their value after selling them and taking the money. The same applies to real estate used for trading, but invested in shares.

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Fatwa no. 3440

Q: should someone who buys shares in an electricity, fertilizer, or mass transportion company pay Zakah other than the Zakah that the company deducts from its profits for charity work in its final settlement every year? Or is it enough for this person to pay the Zakah on the profit from the shares?

A: If shareholders entrust a company to pay the Zakah on the profit of their shares, and the company does this, they do not have to pay Zakah again themselves.

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The sixteenth question of Fatwa no. 12087

Q 16: is there any due Zakah (obligatory charity) on stocks and shares? How should it be paid?

A: Zakah is due on stocks and shares if they represent money or commercial commodities, provided that the one who is keeping the money is not going through financial hardship and is not procrastinating in paying.

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The first question of Fatwa no. 10742

Q 1: Seven years ago, I entered into partnership with a friend in a shop. At that time, I had no money to offer as my share in the capital. My friend and I, thus, borrowed the money from one of my friend's relatives. We ran the shop for two years then sold it and divided the amount. After a while, Allah granted me the money to settle my debt. Long before opening this shop, I had another debt that was more than my share in the shop. At that time, I asked a friend of mine, who was a student of knowledge, if I was obliged to pay Zakah on my share in the shop. He told me that if my debt was equal to my share in the shop then I did not have to pay Zakah. However, I have now been told that I was obligated to pay Zakah. Please answer me, am I required to pay Zakah or not? What should I do now?

A: If your share in the money that you both had and in the goods for sale in the shop reached the Nisab (the minimum amount on which Zakah is due) and they remained in your possession for a lunar year, then Zakah was due to be paid even though you were in debt to an amount equivalent to your share at that time. this is because being in debt does not exempt you from paying Zakah, according to the preponderant opinion of scholars.

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is Zakat due on an investor?

Fatwa No. (12618)

Q: I have an amount of money equaling 15,000 riyals. I submitted them to one person to invest them for half of the profit. Is Zakah (obligatory charity) due on this capital? On which amount is Zakah due; the capital, the profit or both of them? In case there is Zakah due on the capital, what are we to do when we have already bought goods, such as carpet, furniture and the like, with the capital?

A: Zakah is due on the amount of money mentioned above prepared for investment in trade once a Hijri year has passed. Moreover, Zakah is due on the capital along with the profit after the passage of one Hijri year. If the capital is used up in buying certain goods for trade, their value after the passage of one Hijri year is estimated as it is then and there will be 2.5% Zakah due on the total of the capital and profit.

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on whom is Zakah due in case partners separate?

Fatwa No. (13148

Q: I want to inform Your Eminence that I, along with another person formed a partnership. My partner provided the capital of 70,000 riyals while I did not pay anything. We agreed that I would receive half of the net profit in return for management and supervision over the store. After the passage of one year, we paid the 2,5% Zakah (obligatory charity) due on the existing contents while no profits were distributed. In the next year, we disagreed and this ended with him selling me the goods in the store for 120,000 riyals causing me to be indebted to him. Please, inform me on whom Zakah is due: me (the buyer) or him (the seller). May Allah reward you with the best for guiding us and may He guide us to the proper manner of fulfilling this pillar of Islam! May Allah guard you!

A: If what you have just mentioned is the case, Zakah is due on you regarding the money of the store since the date of buying and possessing the store once a Hijri year has passed. Moreover, there is Zakah due on your share of profits before buying the store on the condition that it equals the Nisab and a Hijri year has passed.

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Fatwa No. (5136)

Q: We pay the Zakah (obligatory charity) due on our company, ourselves, to those deserving it whenever a Hijri year passes in proportion with the invested amount and the percentages of partners which changes from one year to another. This year, we had to indulge in some governmental transactions entailing that a Zakah paying certificate be issued from the Department of Zakah and Income. Going to the department, they demanded the Zakah of the past three years, the actual duration of our company, be paid in order that the required certificate be issued. We have already paid it to them intending it to be the Zakah of the forthcoming year. Is this permissible? I mean: may we deduct it from the Zakah of the forthcoming year bearing in mind that it is a reasonable sum of money and that some partners have changed?

We agreed with a merchant in Bahrain eight years ago to invest a given sum of money on the condition that he shares with us at least 10% of the sum. The duration of the agreement is one year that may be extended based on the desire of both parties. We deputized him to invest the capital in the field he deems suitable in Bahrain, such as purchasing lands and stocks. However, after the passage of one year, we did not extend the agreement mentioned above and demanded the man to pay off the money but he did not

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pay the sum of money we had given him claiming that the land he purchased did not equal a quarter of the original value. He finally agreed to pay the money two weeks ago, after seven years of demand. The deal was that he would not involve us in the last transactions loss and will pay off the sum of money we had paid him through deferred checks whose date of maturity is not due yet. The question is: what Zakah is due on us for the latter transaction? Is Zakah due on the invested sum of money for the past eight years? Or, is Zakah due on the one-year duration of the agreement? Are we to pay Zakah immediately or wait until we receive our sum of money in full from this man? We hope for a reply with thanks!

A: First: You paying the Zakah due on your company yourselves to those deserving once a Hijri year has passed in proportion to the capital and profits of your invested money and in proportion with the partners' respective shares is sound. Second: If you pay Zakah to the Department of Zakah and Income on a specific amount with the intention of future zakah on this amount this would be a form of expediting Zakah payment which is permissible, and it is not affected by the person responsible at the Zakah and Income Department intending that this Zakah amount for the company's capital and profits in the last three years. Third: You do not owe Zakah for the previous years as you don't own it due to the merchant's procrastination and delay.

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Fatwa No. (4594)

Q: We would like to inform Your Eminence that we have a flask covers factory. We were accustomed to paying the Zakah (obligatory charity) due only on net profits, bearing in mind that at the time that Zakah was due the factory contained such materials being manufactured as tin and the like and contained other realizable goods (covers). Is Zakah due on materials being manufactured and manufactured realizable goods? Or, is Zakah due only on net profits as we would deem? Please, inform us, may Allah reward you good!

Likewise, we have a Pepsi cola factory. We were accustomed to paying the Zakah due only on net profits, bearing in mind that at the time that Zakah was due the factory contained materials necessary for manufacturing such as Pepsi cola, plugs, sugar, chemical substances and the like and contains manufactured syrup refills, boxes and flasks, realizable and ready for sale. Moreover, there is money in the factory's treasury. Is Zakah due only on net profits? Or, is it due on net profits plus money in the treasury and realizable syrup refills? Or, is it due on all of them plus materials being manufactured such as Pepsi

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cola, sugar, plugs and the like? Please, give us detailed information, so that we might correct our track, on what things Zakah is due and on what things Zakah is not due.

A: The zakah is due on net profits plus materials being manufactured and manufactured materials if they are for sale. No Zakah is due on the estimated value of factory tools and machinery.

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Fatwa No. (6350)

Q: One of my brothers has an automatic plane. He does not know how to pay the Zakah due on the money he gains from it, bearing in mind that he has high-costing machinery and workers to whom he pays monthly salaries. Moreover, he works for people constructing new buildings, some of whom pay off dues in long-term installments, which makes it very difficult for my brother to calculate money on which Zakah might be due.

A: Whenever a Hijri year passes, he should calculate the cash and other properties he has, such as wood prepared for trade, plus debts due on others to him and should then pay the (2.5%) Zakah due on the total. As for work tools

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such as machinery, equipments and the like, there is no Zakah due on them. However, he should seek the help of accounting experts to calculate the Zakah due on him.

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Zakat-ul-Fitr

Ruling on Zakat-ul-Fitr

The fifth question of Fatwa no. 5733

Q 5: Is it an authentic Hadith that says: "The Sawm (Fasting) of Ramadan is not raised (to Allah) until Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) is paid"? Is Zakat-ul-Fitr obligatory on a fasting Muslim who is needy and does not have the Nisab (the minimum amount on which Zakah is due) based on the authenticity of the previous Hadith or other Islamic textual evidence authentically reported from the Prophet (peace be upon him)?

A: Zakat-ul-Fitr is obligatory on every Muslim who should be self-supporting if he has one Sa' (1 Sa' = 2.172 kg) or more in excess of his and his family's need on the day and night of 'Eid-ul-Fitr (the Festival of Breaking the Fast). This is based on the Hadith authentically reported on the authority of Ibn 'Umar (may Allah be pleased with them both) who said: ﴿The Messenger of Allah (peace be upon him) enjoined the payment of one Sa' of dates or one Sa' of barley as Zakat-ul-Fitr on every Muslim slave or free, male or female, young or old, and he ordered that it be paid before the people go out to offer 'Eid Prayer.﴾

(Related by both Al-Bukhari and Muslim and the wording is that of Al-Bukhari)

Moreover, Abu Sa'id Al-Khudry (may Allah be pleased with him) is reported to have said: ﴿We used to pay Zakat-ul-Fitr as one Sa' of food, or one Sa' of dried dates, or one Sa' of barley, or one Sa' of raisins, or one Sa' of curd during the lifetime of the Messenger of Allah (peace be upon him).﴾ (Related by both Al-Bukhari and Muslim)

It will also suffice to discharge the obligation by giving a Sa' of the local staple food such as rice and the like. Sa' here means the Sa' of the Messenger of Allah (peace be upon him), which is four handfuls scooped up with the two hands of an average built man. Accordingly, a person who does not pay Zakat-ul-Fitr is sinful and has to make up for it. With regard to the Hadith you have mentioned, we know nothing to the effect of its authenticity.

We ask Allah to guide you and to make our words and deeds and yours righteous.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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paying Zakatul-Fitr on behalf of a fetus

First question from Fatwa No. (1474)

Is Zakatul-Fitr due on a fetus?

A: It is recommendable to pay Zakatul-Fitr on behalf of an embryo, for this was practiced by `Uthman (may Allah be pleased with him). However, it is not obligatory as there is no evidence to this effect.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa No. (10816)

Q: My wife was pregnant during the blessed month of Ramadan. I paid Zakatul-Fitr on behalf of the fetus I thought to be in her womb. However, a few days after `Eid-ul-Fitr (the Festival of Breaking the Fast), my wife delivered twins by the destiny of Allah (may he be Glorified and Exalted). Is there anything due on me as I paid Zakatul-Fitr on behalf of one fetus only and paid nothing on behalf of the other?

A: There is nothing due on you for not paying zakatul-Fitr on behalf of the second fetus.

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May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa No. (3382)

Q: is it permissible to pay Zakatul-Fitr on behalf of an embryo?

A: It is recommendable to pay Zakatul-Fitr on behalf of an embryo as was the practice of `Uthman (may Allah be pleased with him). However, it is not obligatory. In fact, if Zakatul-Fitr is due on it before coming into existence, Zakah would be due on the embryos of beasts of burden with greater reason.

May Allah grant us success! Mau blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Chairman
`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Twelfth question from Fatwa No. (606)

Q 12: is it obligatory on a husband to pay Zakatul-Fitr on behalf of his wife in case there is a serious dispute between them?

A: Zakatul-Fitr is obligatory on a man on behalf of himself as well as those for whom he has to provide, including his wife whose maintenance is a duty on him. However, if an irresoluble dispute arises between them pursuant to which a judicial decree was issued declaring her recalcitrance then her right to maintenance is forgone,

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it will not be obligatory on him to pay Zakatul-Fitr on her behalf. In other words, Zaktul-Fitr is related to her right to maintenance, which if forgone, the former will be consequently forgone.

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Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

Second question from Fatwa No. (6215)

Q 2: If one of an eight-member family, fasted 27 days of the month of Ramadan with only three days remaining before `Eid-ul-Fitr (the Festival of Breaking the Fast), dies, is it permissible for the head of the household to pay Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) on his behalf?

A: It is not obligatory on him to pay Zakat-ul-Fitr on behalf of the dead person as he died before its time was due.

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Permanent Committee for Scholarly Research and Ifta'

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The amount to be paid as Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)

First question from Fatwa No. (6364)

Q 1: What is the amount to be paid for Zakatul-Fitr and when is it due? Who are the people deserving it in France? Is it permissible for it to be collected by the Imam (the one who leads congregational Prayer) of the Masjid (mosque) to be distributed later to those deserving it even after a period of time has passed? Is it subject to inflation? May it be sent to Mujahids (those who fight in the Cause of Allah) in Afghanistan, for example, or added to a charity fund for building a Masjid?

A: The amount to be paid in Zakatul-Fitr is one Sa` (1 Sa` = 2.172 kg) of dates, barley, raisins, cheese or food. It is due by the night preceding `Eid-ul-Fitr and may be paid until the `Eid Salah (Prayer). However, it may be paid two or three days before this time limit. It should be given to poor Muslims in the country where the person paying it lives and may be given to poorer Muslims of another country. The Imam of the Masjid as well as any trustworthy person may collect it and distribute it to the poor provided that it is received by those deserving it before the `Eid Salah. Its value is not subject to inflation as it is estimated by Shari`ah to be one Sa`. Furthermore, those who have no more than the foodstuff necessary for themselves and their families and sufficient only for the day of `Eid are exempted from paying it. It may not be added to the funding of building a mosque or any other charitable enterprise.

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May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Paying more than the amount due of Zakat-ul-Fitr

First question of Fatwa no. 9386

Q 1: Is the amount of Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) due so limited that I am only allowed to pay one Sa` (1 Sa` = 2.172 kg) without any increase? I mean may I add a charitable, not precautionary, extra amount without telling the poor about such a charitable increase? For example, having a ten-member family, I bought a rice bag weighing 50 kilograms which I paid as Zakatul-Fitr on behalf of the ten members of my family. Knowing that the bag, if estimated by Sa`, will have at least an extra 20 kilograms, I considered the increase as charity and did not tell the poor about it. The poor in turn, knowing nothing about the increase as I told him that it is all our Zakah, took it contently. What is the ruling on my behaving as such?

A: The amount to be paid as Zakatul-Fitr is a Sa` of wheat, dates, rice or any other local staple foodstuff per person, male or female, young or old. However, such a practice of your paying more than the limited amount due of Zakatul-Fitr as a charity is unobjectionable

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even if you do not tell the poor about it.

May Allah grant us success. May blessings and peace be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Third question from Fatwa No. (12572)

Q 3: In `Eid-ul-Fitr (the Festival of Breaking the Fast), I paid two bags of rice weighing 90 kilograms as Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) on behalf of my 22-member family. I do not know whether they are enough or not. Could you tell me the amount of the Prophetic Sa` in kilograms? May Allah reward you good and beautify your end.

A: the amount to be paid for Zakatul-Fitr per a person is one Sa` equal to that of the Prophet (peace be upon him) which equals about three kilograms. Accordingly, the amount you paid on behalf of the family mentioned above, 90 kilograms, is enough and the increase is considered a charity.

May Allah grant us success! Mau blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

delaying the payment of Zakatul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)

Fatwa No. (2867)

Q: I was on a journey on the night of 27/9/1999 when I forgot to pay Zakatul-Fitr. We have not paid Zakatul-Fitr yet. Moreover, we have workers in our factory and farm whom we pay monthly salaries; should we pay Zakatul-Fitr on behalf of them? Or, should they pay it on behalf of themselves?

A: First: A person who delays paying Zakatul-Fitr at its due time while remembering it is sinful and has to repent to Allah and make up for it. It is an act of worship which may not be forgone by the lapse of its due time just like Salah (Prayer). However, as for the case of the questioner who forgot to pay it at its due time, they are not sinful but he has to make up for it. As to being not sinful, it is based on the general meaning of the evidence to the effect that there is no sin in the case of forgetfulness. As for being obliged to make up for it, it is based on the justification mentioned above.

Second: Workers who receive monthly salaries for working in the factory or farm should pay Zakatul-Fitr on behalf of themselves as the basic principle is that it is obligatory on them.

May Allah grant us success! Mau blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

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The time that Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) is due

First question from Fatwa No. (2896)

Q 1: Does the time that Zakatul-Fitr is due begin after offering the `Eid Salah (Prayer) and end at the end of that day?

A: The time that Zakatul-Fitr is due does not begin after the `Eid Salah. It begins after sunset of the last day of Ramadan, marking the first night of Shawwal, and ends with the `Eid Salah. This is based on the fact that the Prophet (peace be upon him) ordered it to be paid before the `Eid Salah. To the same effect, Ibn `Abbas (may Allah be pleased with them both) reported the Prophet (peace be upon him) to have said: (If anyone pays it before the Salah (of `Eid), it will be accepted as Zakah. If anyone pays it after the Salah, that will be a Sadaqah (charity) like other Sadaqahs.) However, it may be paid two or three days before that time based on the Hadith in which Ibn `Umar (may Allah be pleased with both of them) is reported to have said: (The Prophet (peace be upon him) imposed Sadaqatul-Fitr in Ramadan. He said at the end of the Hadith, "They used to pay it a day or two in advance.") Thus, whoever delays paying it is sinful and has to repent to Allah and pay it to the poor.

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Permanent Committee for Scholarly Research and Ifta

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Second question from Fatwa No. (8825)

Q 2: i was entrusted with distributing Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) while young. At that time, I was ignorant about it being obligatory which caused me to waste part of it and deliver it incomplete to those that I was asked to deliver it to. Now, I can pay an amount equal to that which I wasted. Will this be an expiation of the past sins if I pay it now? How can I do this, bearing in mind that I am still provided for by my father although I may sometimes work?

A: You have to repent to Allah and fulfill what you are entrusted to deliver now. As to the expiation of your past sins, you should do your best to give an amount equal to that which you have wasted to the poor and the needy as confirmation of your repentance. You should also ask Allah to accept it and forgive your delay in paying it, for He is indeed the Acceptor of repentance, the Merciful.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

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paying Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) on behalf of non-Muslim servants

Fourth question from Fatwa No. (7699)

Q 4: Many people have non-Muslim servants in their houses. Should they pay Zakatul-Fitr on their behalf or give them part of it?

A: They should neither pay Zakatul-Fitr on their behalf nor give them any part of it. Moreover, if they give these servants part of it, it will be invalid as payment of Zakah (obligatory charity). However, they may be given charity that is not obligatory Zakah. Furthermore, it should be noted that it is obligatory to replace them with Muslim servants, for the Prophet (peace be upon him) recommended that non-Muslims be driven out of the Arabian Peninsula. In this regard, he said: ﴾Two religions should not exist together in the peninsula of the Arabs.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
\`Abdullah ibn Qa\`ud	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Those deserving Zakatul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)

Second question from Fatwa (1204)

Q 2: may Zakatul-Fitr be paid to poor people who smoke tobacco and eat Qat (Catha edulis) or not?

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A: Such behavior of theirs should not prevent paying Zakah (obligatory charity) to them, for in spite of doing so, they are still considered Muslims. They are to be considered believers considering their belief and profligate considering the prohibited things they do. Moreover, authorities are to prevent them from these addictions and punish them for doing so.

We ask Allah to guide them and direct them to that which He likes and that which pleases Him.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 3055

Q 3: In marketplaces, some men, whose religious commitment is unknown to us, ask us for Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast). There are others with a reasonable standard of living who spend whatever Zakah (obligatory charity) they receive on their children. There are others who receive a monthly salary, but are not very religious. Can Zakah be paid to these categories?

A: Zakat-ul-Fitr should be paid to poor Muslims even if they are sinners as long as their sins are not so grave that they may drive them out of the fold of Islam. A poor person who deserves Zakat-ul-Fitr is the one whose apparent status indicates so, even if they are actually rich. However, the person paying Zakat-ul-Fitr should seek out good poor people as much as possible. If it turns out later that the person who took it is actually rich, it will not affect the payer of Zakah; rather, it will serve to discharge the obligation on their part, praise be to Allah.

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May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa No. (7230)

Q: should Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) be paid to one person, can it not be distributed among a multitude of people?

A: Zakatul-Fitr may either be paid by one person to one person or be distributed among a multitude of people.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Giving Zakat-ul-Fitr to charitable societies

Fatwa no. 13231

All praise be to Allah Alone, and peace and blessings be upon the Messenger of Allah, his family and Companions. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has examined

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the Fatwa request submitted to His Eminence the Chairman by the Chairman of the Board of Al-Bir Society in Jeddah stating:

Al-Bir Society in Jeddah, registered at the Ministry of Labour and Social Affairs under no. 62 dated 6/3/1404 A.H., practices some social services; the most important thereof are the following:

1-

Maintaining orphans, children of unknown parents and children of special circumstances as those whose mothers are jailed or suffering from a mental illness or a chronic disease. Maintenance includes both genders, males and females, and is a complete educational integrated lodging.

2-

Maintaining needy families through presenting cash and study aids after a thorough investigation performed by experienced or qualified male and female researchers on scientific objective basis. This is followed by continuous observation from time to time to monitor and take care of positive or negative changes that may happen to beneficiary families.

The society currently cares for around 200 children and more than 600 families. It also offers school aids to about 1000 male and female students. Moreover, in case the resources of the society improve, it is expected (Allah willing) that its new orphanage maintains 500 children and the families receiving assistance increase. The same also applies to school aids. The society gets its resources from payments of Zakah (obligatory charity), endowments, donations and wills in addition to member subscriptions.

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The society considered collecting Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) whether its payments is directly foodstuff or turned into foodstuff by the society on behalf of those who pay it in cash - after the pattern of the meats given as Ud-hiyah (sacrificial animal offered by non-pilgrims), Hady (sacrificial animal offered by pilgrims) and Fidyah (ransom) - before the Prayer of 'Eid-ul-Fitr (the Festival of Breaking the Fast). Is it permissible for the society to distribute such foodstuff eventually in accordance with the need of its maintained beneficiaries? We wish that

your Eminence will issue your Fatwa in this regard so that we may proceed in this charitable enterprise.

The Committee replied as follows:

The society must distribute Zakat-ul-Fitr to its deserving recipients before the 'Eid Prayer. It is impermissible to delay paying it after such a time limit as the Prophet (peace be upon him) ordered it to be given to the poor before the 'Eid Prayer. In fact, the society is regarded as the agent acting on behalf of the Zakah payer. Thus, the society may receive only an amount of Zakat-ul-Fitr that it will be able to distribute to the poor before the 'Eid Prayer. Moreover, it is impermissible to pay Zakat-ul-Fitr in cash as the Shar'y (Islamic legal) evidence indicated that it is obligatory to be paid as foodstuff. The Shar'y evidence should not be abandoned for the opinion of some person. As to the case in which the Zakah payers give money to the society to buy foodstuff for the poor therewith, it must do so before the 'Eid Prayer and it may not give the money as Zakat-ul-Fitr.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fourth question from Fatwa No. (9231)

Q 4: what is the opinion of our Shaykh on immediately selling what is paid as Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)? For example, Zakatul-Fitr paid as a Sa` (1 Sa` = 2.172 kg) of foodstuff may be distributed to the poor, who may in turn sell it for money. What is the ruling on those who distribute Zakatul-Fitr as cash money?

A: If the person to whom Zakatul-Fitr is distributed is a deserving person, he may sell it after receiving it as it thus becomes his own property. However, Zakatul-Fitr may not be distributed in cash according to the sound opinion we know which is the opinion of the Jumhur (dominant majority of scholars).

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
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First question from Fatwa No. (12651)

Q 1: Is it permissible to deliver Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) paid as foodstuff

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to a an authorized deputy of the poor who is not present due to being sick or performing `Umrah (lesser pilgrimage), for example?

A: In case a poor person deputizes a person to receive the Zakah (obligatory charity) money on his behalf, it is permissible for the Zakah payer to pay it to this deputy.

May Allah grant us success! May blessings and peace be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first and second questions of Fatwa No. (8913)

Q 1,2: is the imam of Al-Masjid Al-Jami` (the large mosque where Jumu`ah [Friday] Prayers are held) entitled to a share of Zakah (obligatory charity) due on money or of Zaktul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)?

A: Allah (Glorified be He) highlighted in His Glorious Book (the Qur'an) the categories to whom Zakah is given. He (may His mention be exalted) said: ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allâh. And Allâh is All-Knower, All-Wise.﴿ If the Imam of Al-Masjid Al-Jami` belongs to any of these categories, he will be entitled to a share of Zakah. Otherwise, he will not be entitled.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa No (2675)

Praise be to Allah alone and peace and blessings be upon His Messenger, his family and Companions. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has examined the question submitted by the Crop Storehouses Manager in Riyadh to His Eminence the Chairman referred to by the secretariat-general as No. 1953/2 and dated 11/10/1399 A.H. stating:

We wish that Your Eminence will graciously issue a Fatwa on whether it is permissible to pay Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking Fast) as crops and foodstuffs other than wheat and in cash. In accordance with its custom of helping farmers, the State purchases wheat from them, through the Public Institution of Crop Storehouses and Flour Grinders, for encouraging prices reaching 3.5 riyals for one kilogram. The wheat is then ground in the Institution's grinders producing the white flour that is to be sold to citizens for paltry prices reaching 11 or 13 riyals for one bag based on the quality bearing in mind that production costs are fivefold that price. In fact, it stands as an aid given to citizens by the State and a means for alleviating the high cost of living.

However, in case it is necessary to sell wheat to citizens, the Institution cannot sell it for a price less than for that which it is purchased, i.e. one riyal, so that no one might swindle purchasing wheat for less than one riyal and reselling it to the Institution for such a high price. This stands for a kind of supervision and safeguarding public funds for which we are accountable before Allah (Glorified and Exalted be He).

The Committee gave the following reply :

Zaktul-Fitr is to be paid as wheat, dates, raisins, cheese, rice or any other foodstuff a person provides for himself or for his family. However, it may not be paid in cash.

A detailed Fatwa has been already issued by the Committee stating the ruling on paying Zakatul-Fitr, what kinds of property it should be paid as and on behalf of whom it should be paid along with evidence which are as follows:

Zakatul-Fitr is an act of worship. The kinds of property it should be paid as are mentioned by the Prophet (peace be upon him) in the Hadith authentically reported on the authority of Ibn `Umar (may Allah be pleased with both of them) who said: (The Prophet (peace be upon him) has imposed Zakatul-Fitr in Ramadan on free men and slaves, and on males and females, (and it was), either one Sa` of dates or one Sa` of barley.) Moreover, the same is clarified in the Hadith reported on the authority of Abu Sa`id Al-Khudry (may Allah be pleased with him) who said: (We used to pay during the lifetime of the Messenger of Allah (peace be upon him) Zakatul-Fitr one Sa`of

food, of dried dates, one Sa` of barley, one Sa` of raisins or one Sa`of cheese.) (Related by both Al-Bukhari and Muslim). Undoubtedly, along many years during which Muslims would pay Zakatul-Fitr during the lifetimes of the Prophet (peace be upon him), the poor, being many, would need clothing and requirements other than foodstuff. Nevertheless, we were never told that the Prophet (peace be upon him), took diversity of the needs of the poor into consideration, would give each the kind of foodstuff that befits them to eat were they young or old. We have never been told that any of the Rightly-Guided Caliphs (may Allah be pleased with them) did that either. Rather, it was the prevailing practice that people would pay the kinds of foodstuff mentioned by the Prophet (peace be upon him). Thus, if the poor need something other than foodstuff, they can dispose of the foodstuff they have according to their needs.

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Second question from Fatwa No. (6829)

Q 2: Is it permissible for me to pay Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) on behalf of my family? To clarify, I fasted the month of Ramadan in the Eastern region while my family live in the South.

A: Zakat-ul-Fitr should be paid in the place where a person lives. However,

in case a person's authorized deputy or guardian pays it in a country other than the one in which they live, this is still permissible.

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First question from Fatwa No. (9154)

Q 1: i bought some dates at the end of the month of Ramadan which I intended to spend in charity for the sake of Allah on the last Friday of the month. However, I could not do so as this Friday turned out to be the day of `Eid-ul-Fitr (the Festival of Breaking the Fast). Therefore, I paid the dates as Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) on behalf of myself and of my family before the `Eid Salah (prayer). However, there remains a part which I also spent in charity at once. Please, inform me whether such a behavior of mine is permissible.

A: It is unobjectionable to pay a part of it as Zakatul-Fitr. However, the other part you spent is considered an absolute charity.

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First question from Fatwa No. (7822)

Q 1: My paternal uncle died. His sons, old and young, joined me in one house. at the end of Ramadan, I or one of my uncle's sons pay Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) on behalf of all the inhabitants of the house. Is this permissible?

A: If what is mentioned is the case, i.e. that one of you pays Zakatul-Fitr on behalf of himself and of the whole group, it is permissible.

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Fatwa No. (13459)

Q: What is is the ruling on a person who, in spite of having the financial ability to pay Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast), does not do so?

A: It is obligatory on anyone who did not pay Zakatul-Fitr to repent to Allah (Glorified and Exalted be He) and ask His forgiveness as he is sinful for not paying it. Moreover, this person has to pay it to those deserving it. However, if it is paid after the `Eid Salah (Prayer), it is considered a charity.

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Fourth question from Fatwa No. (6505)

Q 4: is there a certain supplication to be said on paying Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)? if there is any, what is it?

A: We know no special Du`a' (supplication) to be said when paying it.

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First question from Fatwa No. (1241)

Q 1: a poor man, who has to provide for a family consisting of his mother, father and children, has one Sa` (1 Sa` = 2.172 kg) of foodstuff on the day of `Eid-ul-Fitr (the Festival of Breaking the Fast). On whose behalf should he pay the Sa` as Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast)?

A: If the status of the poor man is in fact as mentioned by the questioner, he should pay the Sa` that is extra to the needs of foodstuff of himself and his family for the day and night of `Eid on behalf of himself. In this regard, the Prophet (peace be upon him) said: (Start spending on yourself, then begin your spending with the members of your household.) As for those for whom the questioner has to provide, if they own nothing

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to pay as Zakatul-Fitr on behalf of themselves, Zakatul-Fitr will be forgone, as Allah (Exalted be He) said: (Allâh burdens not a person beyond his scope.) Moreover, the Prophet (peace be upon him) said: (There is no Sadaqah (Charity) except that which is given beyond one's essential needs.) He (peace be upon him) also said: (When I command you to do anything, do of it as much as you possibly can.)

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Second question from Fatwa No. (10344)

Q 2: zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) :

1-

Are Masjids (mosques) and other Islamic institutions authorized to collect Zakatul-Fitr in cash and distribute it as foodstuff, in which case the institution collecting Zakatul-Fitr is considered the authorized deputy of the one paying it?

2-

Which is obligatory; to distribute Zakatul-Fitr to those deserving it on the day of `Eid-ul-Fitr (the Festival of Breaking the Fast) or before it?

3-

Knowing that the ultimate purpose of Zakatul-Fitr is meeting the food needs of the poor on the day of `Eid, what is the ruling on collecting it in a storehouse and then distributing it along the year as a monthly aid?

A: 1- The basic principle is that Zakatul-Fitr should be given by the person paying it directly to those deserving it. However, it is permissible for the person who is paying it to deputize other trustworthy persons to distribute it. **2-** It is preferable that Zakatul-Fitr be paid on the day of `Eid before going out to perform the `Eid Salah (Prayer). However, it may be paid one or two days before the `Eid.

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Payment of Zakah (obligatory charity)

(Part No. 9; Page No. 392)

The time when Zakah is due

First question from Fatwa No. (2299)

Q 1: i earned an amount of money in Rajab and want to pay the Zakah due on it in Ramadan. is this permissible? This is because we recognize the needy more clearly in the month of Ramadan.

A: Zakah is due on both gold and silver currencies or any other currency replacing them such as banknotes and trade goods once they reach a Nisab (the minimum amount on which Zakah is due) and a Hijri year has passed. Accordingly, you are liable to pay the Zakah due on the amount of money you earned in Rajab by the month of Rajab of the following year to that in which you owned the Nisab. However, if you wish to pay in Ramadan of the year in which you owned the Nisab the Zakah due on the past period, i.e. two months, so that your Hijri year starts with Ramadan on account of the reason you mentioned above, it will be benefactory on your part. Moreover, if you wish to pay the Zakah due on your money for one year in advance before a complete Hijri year has passed for the same reason, it is also permissible in case there is an urgent need to pay it in advance. However, it is impermissible to delay payment of Zakah to Ramadan after Rajab of the year following to that in which you owned the Nisab, for by the coming of Rajab Zakah is obligatory to be paid at once.

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Second question from Fatwa No. (3023)

Q 2: There is a delay in the payment of Zakah (obligatory charity) due on money invested in this institution. Whenever there is cash money available, the owner of the institution invests it in a new project in order to gain profits to support him until a Hijri year has passed. To clarify, the institution initiated its activities on the first of Rajab 98 A.H. Although by the coming of Rajab 99 A.H. a Hijri year had passed, he continued investing the money in new projects so as to widen the scope of his institution's activities. Even though another Hijri year is now about to finish, he has not paid Zakah yet, bearing in mind that the Nisab of Zakah is often available but he insists on investing it in a new project, purchasing or renting a new store.

A: If the fact is that the owner of the property delays the payment of due Zakah, although it is possible to pay it out of the money on which Zakah is due, he will in fact have committed a sin and injustice to the poor, the needy and other categories mentioned in the Qur'an to whom Zakah is given through delaying their rights and making exclusive use of it in widening the scope of his trade. He has to pay it to those deserving it once this ruling reaches him, ask Allah's forgiveness and repent to Allah from the sin he committed.

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Delaying the payment of Zakah for a valid interest

Fourth question from Fatwa No. (4349)

Q 4: is it permissible to delay the payment of due Zakah to seek out those really deserving it? In fact, it is now difficult to make sure whether there are actually poor and needy persons in the actual linguistic and Shar`i (Islamic legal) senses of the words.

A: It is permissible to delay the payment of due Zakah on account of the purpose mentioned above in the question. As such, it will be more precautionary so that one might be free from accountability and that rights might reach those really deserving them.

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In case a delay on the payment of due Zakah (obligatory charity) takes place for years, it will be obligatory to pay the Zakah due on all these years

Second question from Fatwa No. (4792)

Q 2: Is it permissible to pay Zakah retroactively? I mean is it permissible for a man owning a Nisab (the minimum amount on which Zakah is due) who has delayed paying the due Zakah for years to pay the Zakah due on the money for the past years? How can such a person pay Zakah when he is not sure of the exact amount on which Zakah was due at that time?

A:

A- A person who delays payment of due Zakah without a valid Shar`y (Islamic legal) excuse is sinful. In fact, there are many evidences from the Qur'an and Sunnah to the effect that a person should proceed to pay Zakah once it is due.

B- A person who delays the payment of Zakah once it is due has to pay it even if the delay took place for years. To do so, this person should assess discretionarily the amount of money of the Zakah due which was not paid for years. In other words, he should assess discretionarily both the amount of money as well as years, in case he doubts its number too. In this regard, Allah (Exalted be He) said: (So keep your duty to Allâh and fear Him as much as you can)

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Fatwa no. 5398

Q: I would like to ask you about a problem I have regarding Zakah. I have been working in the Kingdom of Saudi Arabia for about five-and-a-half years and since then I have not paid Zakah, in the true meaning of the word according to Shari`ah (Islamic law), which is 2.5% on wealth that has been owned for a lunar year. I gave a large sum of money in charity, which might be more than the amount of Zakah due on my money, but I did not calculate the money I gave in charity as I gave this money out when we visited our relatives during our annual holiday with them - and we usually spend them with relatives. It is difficult for me to now calculate the money that I earned over the past few years precisely to pay the Zakah due on it. Please, tell me a simple way that I can compensate for not paying my Zakah over the past years. I am going to make a clean start from the beginning of this year, and I will start paying the 2.5% of the value of my wealth in Zakah after I have had it for one lunar year.

Can I be excused due to my ignorance? should I pay Zakah on the money I have kept aside to build a house for me and my family, no matter how many years I keep it, because we are living outside our homeland now and we would need to supervise the building of the house. I deposited some money in the Faysal Islamic Bank of Egypt; should I pay Zakah on the original deposit and then also on the profit

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from this deposit? Enlighten us, may Allah enlighten, bless and protect you!

A: You must pay Zakah on the money you had over the last five years that you kept for a lunar year. You should estimate the amount of money that you had every year and pay the Zakah on it.

As for the money you saved to build a house, you must pay the Zakah on that as well as on its profits after a lunar year. However, if you use this money to buy a piece of land to build a house on for you and your family, no Zakah will be due on the land. Regarding your savings in the Faysal Islamic Bank, you must pay Zakah on it and its legitimate profits a lunar year after making the deposit.

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The Fifth Question of Fatwa no. 5528

Q5: what is the ruling concerning someone who does not pay Zakah on the pretext that they need the money?

A: When a Muslim has the Nisab (minimum amount on which Zakah is due), it is unlawful for them not to pay Zakah, even if they are in need of that money, as need is not an excuse for refusing to pay the Zakah. This way, if it ever happens that one day they themselves are in need of money and deserve to be given Zakah, they can receive Zakah funds from others in a way that meets

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their needs.

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Fourth question from Fatwa No. 8317

Q 4: if the time of paying Zakah was due in the month of Jumada al-'Ula, can we delay paying it until the month of Ramadan without any legal excuses?

A: It is not permissible to delay paying Zakah from its due time without a legal excuse such as nonexistence of poor people at the time of paying it, the inability to transport Zakah to them, the nonexistence of money at the time or the like. But delaying it in order to pay it during the month of Ramadan is not permissible unless it is for a short period of time such as delaying it for half a month if it is due in the second half of Sha'ban. In this case it can be delayed and paid in Ramadan.

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Fatwa no. 11462

Q: I established a shop in the city of Baljurshi and opened it for business on

26/11/1406 A.H. At the beginning of Dhul-Qa`dah, 1407A.H, I made an inventory of the shop to pay Zakah. I made the inventory based on the wholesale price, not the retail price; as I thought that the goods would be valued based on the price I had paid for them. Later on, a Muslim brother (may Allah reward him) corrected me and said that the amount of Zakah payable on my goods should be calculated on the basis of the retail price at the time the Zakah was due.

Calculating Zakah on the basis of the wholesale price of the items took more than two months, because there were around four thousand items in the shop. It then took me around three months to calculate the Zakah on the basis of the retail price. In other words, I am around five months late in paying my Zakah to those who have a right to it. Also, I have still debts to wholesalers for the items on which Zakah is due, and I have another personal debt, which is not related to my business. I hope you answer the following questions, and may Allah reward you:

Q 1: what is the ruling on delaying Zakah for all that time, and what should I do about it? It is worth mentioning that the items upon which Zakah was due up to 26/11/1406 A.H. were known and the Zakah was then calculated on its wholesale price.

Q 2: I paid some Zakah money during that time to those who had a right to it, before I knew the whole amount of Zakah, with the intention of deducting that portion from my total amount of Zakah. What is the ruling on this?

Q 3: I deducted the debts I have to pay on my goods from the total amount of money that Zakah was due on, and then paid the Zakah on the remaining total. Is that the Islamic ruling or was Zakah due on the total amount? When I talked to some of my creditors about this, they told me that they regarded the money I owe them as part of their assets upon which they had paid Zakah. Likewise, I paid Zakah on the money I had lent to other people.

What is the ruling on the debt that is not related to my business? Should I also deduct the value of this debt from the total amount that I am due to pay Zakah on or should I deal with it as a separate and independent matter? It is worth mentioning that if I did not have this business it would probably have been repaid.

Q4: In our neighborhood, there are poor and needy people and beggars. As for the poor people, we know them and they own property and agricultural lands, yet they do not make use of them, sell them, or invest in them to end their poverty. Are they still considered as being poor and should we give them Zakah? As for the needy people, they are few and not known unless we exert a lot of effort to find them. Should we give them

Zakah? It is worth mentioning that some of them refuse to take Zakah, even though they need it. As for the beggars, we are not sure if they are in real need, but they are satisfied when given five or ten riyals. Should we still give them Zakah?

If we were to choose between giving Zakah to the Afghani Mujahidin (those striving/fighting in the Cause of Allah), the Palestinians, Sanabil Al-Khayr projects, or to charitable societies, which of these has a right to Zakah? Should we give Zakah to one of them or

divide the Zakah among them? Do the three categories mentioned in this question, namely, the poor, the needy, and the beggars, have a right to Zakah? It should be noted that they live in our country. We need your advice. May Allah reward you!

A: Firstly, there is no harm in this delay of paying Zakah, given that the second year of Zakah started on 26/11/1406 A.H. Secondly, the portion of Zakah that you paid to those who had a right to it with the intention for it to be Zakah, before you calculated the total value of your Zakah, is regarded as part of Zakah. Thirdly, debts related to the shop and personal debts of the owner of the shop do not exempt you from the obligation of paying Zakah upon the money you own. Thus, you should pay the Zakah upon your wealth without deducting your debts. Fourthly, Allah (Glorified and Exalted be He) has explained the eight categories to which Zakah can be given, namely, the poor, the needy, those employed to collect Zakah, Al-Mu'allafati Qulubuhum (those whose hearts are inclined to Islam), for purchasing the freedom of captives, those in debt for personal need or for reconciling disputes among people, those fighting in the Cause of Allah, and the wayfarers. Allah (Exalted be He) says: ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds)﴿

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Fatwa no. 12749

Q: I am a member of the board of directors of the Charitable Society of Al-Atawalah. We receive Zakah from wealthy people to distribute to the people who have a right to it. However, we face some difficulties in distributing this money, and the following are the details:

Firstly:

Distributing the Zakah to the recipients is sometimes delayed for a whole year under the pretext that the spring or the Ramadan contributions are due. What is the ruling on delaying the distribution of Zakah, especially when those paying the Zakah have entrusted us with the responsibility of doing so? We hope you will explain this issue.

Secondly:

Some people come to us and ask for Zakah. They tell us that they had a car accident and some people died, and that they have to pay Diyah (blood money). Is it permissible to give them from Zakah?

Thirdly:

Some people may not be poor in the exact meaning of the word, for example, they may be earning 2,000 Saudi riyals, but have six or seven family members to support. Some people say that this income is not sufficient for a family like this. What is your opinion?

A: Firstly, charitable societies should distribute Zakah to the recipients without delay, whenever they find them.

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Secondly, it is only permissible for charitable societies to give Zakah to the people who are definitely poor or in debt, or those in their opinion who do have a right to Zakah.

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the Ruling on doing Business with Zakah Money

Fatwa no. 12330

Q: A cooperative society has a sum of money tied up in a bank and is not getting any benefit from it. After the society completed some of the services it was required to provide, the rest of the money has been deposited in a reserve fund for emergencies. As we want to get lawful returns, we are thinking of depositing the money in a financial institution or a business establishment to invest it in trading, especially trading in construction materials like cement and reinforced iron bars. We will be given a variable rate of profit and informed of the materials that are being sold and purchased over a defined period of time. The financial institution will take a commission in return for their work of selling and purchasing. Your Eminence, we hope that you will give us a ruling on the permissibility of doing this type of activity, as we want to make the money productive, for it is considered a trust in our hands that belongs to all Muslims. May Allah reward you with the best!

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A: If the money mentioned in the question is from Zakah, it is obligatory on the society to distribute it to its rightful recipients, after the money is received by the society. But if the money is not from Zakah, there is no prohibition on doing business with it for the benefit of the society; especially when the profits are used to boost the society's objectives and benefit its members.

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Fatwa no. 12381

Q: I am an Egyptian woman working as a teacher in the Kingdom of Saudi Arabia. My husband died and left me with a son who is at university in Egypt, and a daughter who is in her first year of high school. While in Saudi Arabia, I put aside some money to be used for raising my children. I was forced to resign from my job in Egypt in order to continue working in Saudi Arabia. However, now since I have no Mahram (spouse or unmarriageable relative) in Saudi Arabia, I will have to return to Egypt at the end of this year. Thus, I will lose my source of income that I depend on to provide for my children and I will be forced to provide for my family from my savings. My question is: is it permissible for me to forgo paying Zakah on the money i saved to raise my children,

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who have no breadwinner other than me?

A: You must pay Zakah on the money you have if it reaches the Nisab (the minimum amount on which Zakah is due) after the passing of one lunar year. The circumstances that you have mentioned are not an excuse for not paying Zakah.

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Fatwa no. 4584

Q: There are two men who went into business with each other. One of them pays the amount of Zakah due on his investment while the other does not, and if he does pay it, he only pays part of it so that people will say that he pays Zakah. The question is: Is the first person, who pays the whole amount of the Zakah due on his property, to blame for continuing in his business partnership with the one who does not pay Zakah?

A: If the reality is as you mentioned that one of the two partners pays the amount of the Zakah payable on his share and the profits generated from his investment, while the other does not, he will have fulfilled his religious obligation and it is hoped that he will be rewarded by Allah. He is not to blame for the fact that his partner does not pay the Zakah that is due on his share, or pays it merely to show off. However a God-fearing person who pays the Zakah due on his property should not continue in a partnership with one who does not pay Zakah. Instead, he should advise his partner that he must pay the Zakah

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and if he does not, he should end his business partnership with that person to avoid this evil.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The fourth question of Fatwa no. 3543

Q 4: someone delays paying Zakah (obligatory charity) on a sum that is kept with him for a full year, and he lost this money. What should he do?

A: This person is obligated to pay the Zakah which counts as a debt. Therefore, he should pay it when he can afford it. It is important to note that the unlawful [according to Islam] delay of paying Zakah means neglecting the rights of the needy people who deserve it.

May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Giving another Zakah instead of the stolen one

Fatwa no. 11870

Q: Myself and my family went out one day after Maghrib (Sunset) Prayer but when we came back at 11 P.M. we discovered that our home had been robbed.

(Part No. 9; Page No. 407)

Thieves broke the doors, wardrobes, and bags. They stole all the money they found; more than 35,000 Sa`udi Riyals that were kept in two bags; one small and one big. I told the police immediately. The policemen came and saw the imprints of the crime but the criminals have not been arrested until now. There was a sum that was approximately between 4,000 and 5,000 Riyals and it was the remainder of the money I had allocated for Zakah (obligatory charity) since last Ramadan; this amount was among the stolen money. I had given out more than half this Zakah money and I was still giving it out until the time of the theft. This Zakah money was kept with other money that I was spending on my family inside a locked bag. Thus, I hope from Allah (Exalted be He), then from you that your Eminence will issue a Fatwa for me regarding the sum that was allocated for Zakah. Is the Zakah considered paid or what should I do in such a case? It may be important to mention that much of the sum on which Zakah is due is not at my disposal; it is in the form of real estate shares that may be subject to loss.

A: It is obligatory on you to pay Zakah in place of that which was stolen. This is because you have not yet fulfilled your responsibility towards paying Zakah unless it reaches those who deserve it.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fourth Question from Fatwa No. 13037

Q 4: We had an accident in which I lost a briefcase in the Nile. This briefcase contained a sum of money intended to be paid as Zakah in Egypt, should I pay Zakah instead of what I lost?

A: You should pay the Zakah to the poor instead of the Zakah you lost in the river because it did not reach those who deserve it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

paying Zakah on a Deposit Account by the Bank

Fatwa no. (6134)

Q: I am Egyptian and I have a sum of money which I have deposited in an Islamic bank.

(Part No. 9; Page No. 409)

Among the conditions of the bank is that the deposit is subject to profit and loss, and that the due Zakah (obligatory charity) for this money is paid by the bank whenever a (lunar) year passes. Would I be free from responsibility [in front of Allah] in this case, or should I pay Zakah once more besides that paid by the bank? What is your Eminence's opinion on this, may Allah grant you success?

A: Those who put their money on deposit or in a mudaraba transaction with a trustworthy person and delegates them to pay the due Zakah on their behalf, they will be cleared from the obligation of paying the Zakah. But, in case the trustee does not pay the money or there is doubt from the owner's side that the money has not been paid, they (the owner) should pay it, for the basic principle is that the dueness of the Zakah (on money) is pending on the account of its owner until payment becomes confirmed.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Second question from Fatwa No. 12379

Q 2: i gave a person a sum of money in order to pay it as Zakah. i asked him to search for those who deserve receiving Zakah in the village. When I met him two days later, he told me that he gave this sum of money to a project called Sanabil Al-Khayr (the spikes of goodness) for those who are needy among the poor Muslims in the world at Al-Rajhy Bank. Is this manner of paying Zakah valid?

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I had asked him to search for people who deserve receiving Zakah from the inhabitants of the village, but he did not and instead acted this way.

A: It is not permissible for a deputy to act in contradiction to the instructions of the principal. If he contradicts the instructions or will of his client, then the deputy will bear the responsibility of his decisions and will become accountable to the principal.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The wealth of orphans and the insane

Fatwa no. 66

Q: Is Zakah due on the wealth of orphans and those who are insane?

A: Zakah is due on the wealth of orphans and those who are insane. This is the view of `Aly, Ibn 'Umar, Jabir ibn `Abdullah, `Aishah and al-Hasan ibn `Aly as related by Ibn Al-Mundhir. The guardian should pay it on their behalf. In support of this obligatory Zakah, the general the proofs of the Qur'an and Sunnah on the obligation of Zakah are cited. Moreover, when the Prophet (peace be upon him) sent Mu`adh to Yemen and told him what to say to them, he said: ﴿Tell them that they must give Zakah, to be taken from their rich and given to their poor.﴾

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This is related by the Six Hadith Compilers (Al-Bukhari, Muslim, Abu Dawud, Al-Tirmidhy, Al-Nasa'y, and Ibn Majah). The word "rich" includes the minor and the insane, as does the word "poor". Al-Shafi`y narrated in his Musnad on the authority of Yusuf Ibn Malik that the Prophet (peace be upon him) said: ﴿Trade with the wealth of orphans lest the Zakah should overcome or consume it.﴾ This is a Hadith Mursal (a Hadith with no Companion of the Prophet in the chain of narration). Malik narrated in al-Muwatta' that he heard that `Umar Ibn Al-Khattab (may Allah be pleased with him) traded with the wealth of orphans and did not let it be consumed by Zakah. `Umar said that to the people and enjoined it upon them. This implies that it was a rule that was followed and accepted as the correct ruling. Malik also narrated in al-Muwatta' from `Abdul-Rahman Ibn Al-Qasim that his father said: `Aishah used to take care of me and my brother. We were orphans under her care and she used to pay the Zakah due on our wealth.

May Allah grant us success! May Peace and Blessings of Allah be upon His Servant and our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	Ibrahim ibn Muhammad Al Al-Shaykh

Zakah on money dedicated as Waqf

The Third Question of Fatwa no. 161

Q3: Is Zakah due on money dedicated as Waqf (endowment) for financing masjids (mosques)?

A: Scholars unanimously agree that there is no Zakah due on Waqf funds for Masjids or other charitable purposes because they are not owned by anyone.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Paying Zakah on the Wealth of Minors

The Second Question of Fatwa no. 3830

Q2: Is it obligatory to pay Zakah on the wealth of minors? If it is obligatory, should the Zakah be taken from the wealth itself and monthly rental revenue, after expenditures are deducted? Should Zakah be paid upon the remaining net money?

A: Zakah is obligatory upon the wealth of young Muslims that is liable to Zakah after they have owned it for a lunar year. When the Zakah is due, it should to be paid from the wealth that they have had for a full lunar year. It is also obligatory to pay Zakah upon any profit from this wealth,

(Part No. 9; Page No. 413)

without waiting for another year, even if the profit has other liabilities, such as paying living expenses for the coming year. As for the necessary expenditures, they are better deducted before the year has elapsed by buying clothes and food, repaying debts, and the like. As for rent, no Zakah is due upon it until a lunar year has elapsed from the date of the lease contract.

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Fatwa no. 5805

Q: Allah willed that my cousin should die in a car accident on 17/6/1402 A.H. he left young children behind and the head of Al-Qunfudah Court made me their guardian. The children were paid their share of the Diyah (blood money) and they also received some money from the Pension Department, because their father used to be a teacher with the Ministry of Education. I have kept their Diyah and their father's pension for them, and I will keep this money for many years, until the children reach the age of consent. My question is: Should I take the obligatory Zakah out of this money every year or should I do it just once after I have had it for a year and then not pay Zakah on it for the remaining years? I need your advice to clear my conscience and know that I have protected the rights

of those young orphans as regards their Zakah.

A: Zakah should be paid upon the money you mentioned every year after you have had it for one lunar year, and if the share of each of the heirs reaches the Nisab (the minimum amount on which Zakah is due), either on its own or combined with any other wealth they own that is liable to Zakah, whether this is in the form of cash money or commercial commodities.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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paying Zakah by a chieftain on behalf of his people then settling it with them

Third question from Fatwa No. 580

Praise be to Allah Alone; to commence: The Permanent Committee for Scholarly Research and Ifta' has perused the request for Fatwa sent by his Eminence, the judge of Badr Al-Janoub Court in which the third question says:

It is a common practice that the chieftain goes to the collectors of Zakah and pays Zakah on behalf of the people of his tribe, for he knows the tribe very well and knows what cattle his people own. The chieftain pays Zakah to the collector of Zakah, then settles it with his people. His Eminence asks about the ruling on doing this?

(Part No. 9; Page No. 415)

A: There is no doubt that Zakah is one of the pillars of Islam and an act of worship. Also it is well known that the intention is a condition for the validity of offering an act of worship. Consequently, this chieftain should not act on behalf of his tribe men unless it is they who have entrusted him to do so. It should also be noted that the collectors of Zakah should act upon the instructions they receive from senior officials.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

Transferring Zakah outside the country

Fatwa no. 1449

Q: I live in the Eastern Region, but I am not originally from here. Accordingly, I am not clear regarding those who are entitled to Zakah (obligatory charity). Is it permissible for me to transfer all or part of the Zakah to my country, or other countries, where there are Zakah recipients such as orphans, widows, or relatives?

A: If the case is as you have mentioned, there is no prohibition on transferring it to another country where there are poor people to whom you can pay Zakah. The basic principle regarding the permissibility is the Prophet's statement (peace be upon him) to Mu`adh :

(Part No. 9; Page No. 416)

(Tell them that they are obliged (i.e. Allah has enjoined upon them) to offer charity (i.e. Zakah), to be taken from their rich and given to their poor.) Therefore, if one does not find people eligible to receive Zakah in the country of origin, it is permissible to transfer it, since Zakah recipients do not exist therein. It is narrated by Abu `Ubayd in his book Al-Amwal i.e. The Wealth, that Mu'adh (may Allah be pleased with him) sent 'Umar (may Allah be pleased with him) Sadaqah (i.e., Zakah) from Yemen, but 'Umar disapproved and said: "I did not send you to collect tax or Jizyah (poll tax required from non-Muslims living in an Islamic state), rather, I sent you to take from their rich and give it to their poor". Mu`adh replied: "I would not have sent you anything were I to have found even one person who would take it from me".

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1605

Q: I have commodities on which Zakah (obligatory charity) should be paid as one of the Rights of Allah (Exalted be He). Also, I have some relatives in Al-Madinah; some nephews and other children of another nephew who are all poor. Therefore, I send them some Zakah money. I also have a blind and poor sick niece in `Enezah for which I have appointed a deputy to pay a hundred and fifty Riyals every month. In addition,

I send some Zakah money to my wife's sister in Riyadh as she has eight children. Yet, I heard that it is not permissible to transfer Zakah from the country where I live to another country provided that I live in Abha `Asir. Please, advise! May Allah reward you with the best in the worldly life and the hereafter.

A: There is nothing wrong with this according to the most correct opinion of scholars, if transferring Zakah from the country where the owner of the money lives is for a Shar`y (Islamically lawful) Maslahah (public interest), such as there being a case of severe poverty, a kin relationship with the recipient, or to support a knowledge-seeker. But, if you manage to provide for those you have mentioned except you wife's sister and her children from your own money, not from Zakah; this is better and more preferable since this is a way of doing favor to kinship which you have to uphold as much as possible. As for your wife's sister and her children; there is no problem in giving to her and her children some Zakah money after making sure that they are poor because she is Ajnabiyyah (man/woman lawful for the woman/man to marry).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 4356

All praise be to Allah Alone, and peace and blessings be upon the final Prophet.

(Part No. 9; Page No. 418)

The Permanent Committee for Scholarly Research and Ifta' has read the request for Fatwa referred to His Eminence, the Secretary General of the Committee, from His Royal Highness, the Deputy Prince of Riyadh. This request is recorded as no. 1996, in the Research Department, and dated 23/11/1401 A.H. The question is related to the fact that some of the people of Shaqra' are asking for the Zakah money from the town of Al-Qara'in to be sent to the poor people in Shaqra'. The people from Al-Qara'in are complaining about this, as they want the Zakah money from Al-Qara'in to be distributed to the poor of Al-Qara'in. His Royal Highness, the Deputy Prince of Riyadh, is requesting a Fatwa on this, which could be used as a rule to be applied to such issues in general.

The Committee gave the following reply: The ruling is that Zakah money from any place should be given to the poor people of that place, according to the Hadith related by Al-Bukhari and Muslim (may Allah be merciful with them) in their Sahihs (Authentic Books of Hadith). They related that Ibn `Abbas (may Allah be pleased with them) said that the Messenger of Allah (peace be upon him) sent Mu`adh (may Allah be pleased with him) to Yemen, and said to him, ("You are going to some People of the Book. First of all, invite them to testify that there is no deity but Allah..." And in another version, he is reported as saying: "...invite them to worship Allah Alone. If they follow you in that, inform them that Allah has enjoined on them five Salah (prayers) every day and night. If they follow you in that, inform them that Allah has enjoined charity on them (Zakah) and it is to be taken from their rich and given to their poor...")

Those who see the wealth circulate in front of them,

(Part No. 9; Page No. 419)

the dates picked from the palm trees, and the crops harvested from the fields, have the priority over others to them and this is also in conformity with the principles of justice and equality of Islam. Allah (may He be Praised and Exalted) says: (pay the due thereof (its Zakât, according to Allâh's Orders 1/10th or 1/20th) on the day of its harvest) In his book "Al-Mughni", Ibn Qudamah (may Allah be merciful with him) said: "Most scholars say it is recommended that it should not be transferred from its town"; he was referring to the Zakah money. If there are no rightful Zakah recipients in a town, it is permissible to send the Zakah money to the poor in the town closest to it.

It is also preferred to transfer Zakah money if this will serve a legitimate benefit, such as if the poor people of another town have a more pressing need than those in the town where the wealth that Zakah is due upon is, or it is being given to poor relatives of those paying the Zakah; this is permissible according to evidence. It is also permissible, albeit undesirable, to send Zakah money to another place without it serving a legitimate benefit, as there are general texts that support the permissibility of transferring Zakah from one country to another, because the Zakah payer is still giving their Zakah money to those who have a right to it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3128

Q: I live in a non-Muslim country, how should I pay my Zakah (obligatory charity) here? Should I send it to a Muslim country? Note that I have sent some to the Islamic Centre in Washington.

A: If the country where the money exists does not include any of the qualified Zakah recipients, you should send it to anyone who is entitled to receive it, anywhere; either in Muslim countries or to other poor Muslim minorities.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 13687

Q: someone who resides in saudi Arabia mails the amount of Zakah (obligatory charity) to his relatives living in Egypt. However, this amount was lost and did not reach those who deserve the Zakah. Should the Zakah be paid again or not? is Zakat-ul-Fitr (obligatory charity paid before the Festival of Breaking the Fast) offered on polished or unpolished rice?

A: First, the basic principle is that Zakah should be paid in the country where the Zakah money exists. However, it is permissible to transfer the Zakah to another country

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if there are no poor people in the country where the Zakah money exists, if the country to which the Zakah is transferred is in more need of it or if there is a poor relative of the one who is paying the Zakah in this country. The amount of Zakah that was lost before reaching those to whom it is due, should be paid again by the money owner for he is responsible [in front of Allah] until the money reaches those who deserve it.

Second, the Prophet (peace be upon him) stated the types of food which are given for Zakat-ul-Fitr. `Abdullah Ibn `Umar (may Allah be pleased with both of them) narrated that: (The Prophet (peace be upon him) has imposed Zakat- ul-Fitr in Ramadan, (and it was) either one Sa` of dates or one Sa` of barley.) Moreover, Abu Said al-Khudry (may Allah be pleased with him) narrated that: (During the lifetime of the Prophet of Allah (peace be upon him) we used to pay Zakat- ul-Fitr as one Sa`of food, one Sa` of barley, one Sa`of cheese, one Sa` of dried dates or one Sa` of raisins.) Thus, Zakat-ul-Fitr is given from these types of food and the like that is used as foodstuff, and it is impermissible to give something which is defective.

May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 10868

Q: is it permissible to pay the debts and expenses for a farm before paying Zakah?

(Part No. 9; Page No. 422)

A: You must pay Zakah first, and then you can settle your debts with what is left after the Zakah.

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Paying Zakah as soon as it is due and paying it as monthly payments

Fatwa No. 10671

Q: Is it permissible to pay Zakah on money in advance during the year in the form of monthly payments for poor families?

A: There is no harm in paying Zakah one or two years in advance if the benefit is achieved and it should be given to the poor who deserve it on a monthly basis.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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considering taxes as part of Zakah

The first question of Fatwa no. 7551

Q 1: Many people here in Egypt do not pay Zakah (obligatory charity) on the pretext that the country collects taxes instead. Is this sufficient, especially that the country does not collect Zakah from people? If this is not sufficient, should they pay it by themselves? How should they pay it?

A: The taxes imposed by the government does not exempt the people whose properties have reached the Nisab (the minimum amount on which Zakah is due) and a lunar year passes on this Nisab. They should pay Zakah and distribute it in the lawful channels which Allah (Exalted be He) has mentioned in His saying, ﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Paying Zakah directly or giving it to those in charge

The fourth question of Fatwa no. 1393

Q 4: To whom should Zakah (obligatory charity) money be paid? Is it valid for the Zakah payer to distribute it among the poor and needy? Should it be paid to those in charge such as Bayt-ul-Mal (Muslim Treasury)?

A: It is Mustahab (desirable) for a person to distribute Zakah money themselves to the qualified recipients such as the poor and other categories mentioned in Allah's Saying (Exalted be He): (As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything)) Yet, if the ruler levies it; it is permissible to hand it over by means of fulfilling the pledge of hearing and obedience in Ma`ruf (that which is judged as good, beneficial, or fitting by Islamic law and Muslims of sound intellect). Accordingly, a person is acquitted of the obligation if the ruler is Muslim.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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paying Zakah on Dates to the Responsible Committee

Fatwa no. 12567

Q: Since we started distributing the Zakah on dates in Riyadh, we have faced some problems, such as the following:

When some Zakah recipients are referred by the Zakah committee to those paying Zakah on their dates, they are turned away by the date growers, who say that they have already given their Zakah to people they know. Other growers say that they have no Zakah to pay on their dates, and others claim that they are only workers and they do not have any dates and do not know the owners' addresses or where they live. We, therefore, presented this issue to the specialized department in the Ministry of Finance and they referred us to Your Eminence for your advice on the matter. Should we accept the words of those who say they have paid the Zakah on their palm trees? Should we accept the claim of those who say they do not have enough dates to pay Zakah on, even though the Zakah collectors have found that they have a large amount of dates? What should the Committee do when the Zakah recipients go to the farms and do not find the owner there, but they meet their workers who refuse to give them the specified amount of Zakah on dates? I hope to receive advice from you, and may Allah enlighten you and support you.

A: Firstly, the authority in charge of collecting the Zakah should tell all the farmers that they should not distribute the Zakah by themselves nor give it to anyone other than the authority nominated by the ruler or one of its representatives. They should be asked to sign when they have

been informed of this. After that, do not accept any claims that they have given their Zakah to people other than the Committee. **Secondly,** do not accept any farmer's claim that they do not have anything on which Zakah is due, if the collectors of Zakah have decided that they do, because they know the truth and are responsible for this work. They should take the amount of Zakah that is due on the dates. **Thirdly,** anyone who claims that they are not the owner of the dates, just a worker, should not be asked to give the Zakah themselves. They should be asked to refer the collectors to the owner of the dates, and the neighbors also should be asked to do the same.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 9436

Q 2: I have two years unpaid Zakah (obligatory charity) on cattle since 1404 A.H. After the collectors left, I distributed it to the qualified recipients. I live in an agricultural settlement in Al-`Arif and the collectors used to visit our settlement before the last two years. We gather all the Zakah money but they did not come to take. Some of my people manage to meet them and give them the money, while others - like me - find it difficult to do this, as I might be absent sometimes and I keep Zakah money with my family.

A: There is no prohibition to distribute it to the poor, if you are unable to hand it over to the Zakah collectors.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3433

Q: We are a group of shop owners and are facing problems with regard to distributing the Zakah. Some people from neighboring villages come to us with lists of names of people claiming that they deserve to receive the Zakah. Although, we do not know those people very well, we give them the Zakah. Later, other people from the same village come with lists with similar names, and claim that they also deserve to receive the Zakah. This issue is causing us difficulty, and we do not know how to solve this problem. Your Eminence, would it be better for us to send an honest employee to distribute the Zakah to those people whom he believes to be in real need of the money? Or should we continue giving the Zakah to those people who come to us with lists of names? Give us your advice, may Allah reward you the best reward.

A: The Zakah should only be paid to those people whom you are sure of their financial need, or at least believe that most probably they are in financial need. Whoever pays the Zakah should pay it in person, or deputize a trustworthy person to pay it on his behalf. In either case, care should be taken to make sure that the Zakah goes to those who actually deserve it. Thus, if you send a deputy to pay your Zakah to those whom he believes to be deserving of it, it will be better for you to avoid guilt or blame and for those who really deserve it. However, with regard to paying the Zakah on the basis of some list of names that you do not trust; this is not permissible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 5877

Q 3: Is it permissible for me to take Zakah (obligatory charity) in terms of grain or Dirhams? If I am offered Zakah without asking for it, should I take it?

A: If the income received from your possessions or work does not suffice you or those for whom you have to provide within the average expenses of the same standard of living in your community; it is permissible for you to take Zakah according to what is required to meet your needs. Otherwise, it is not permissible to take any Zakah. Further, if you are offered Zakah while being well-off, you should not accept it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
\`Abdullah ibn Qa\`ud	\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

(Part No. 9; Page No. 429)

Paying Zakah to the poor and giving to those who do not deserve in fear of their tongue-lashing

From Fatwa no. 6508

Q 2: Is it permissible to give Zakah (obligatory charity) to middle-class or well-off people? Some generous people give me their Zakah money to distribute among the poor in my country, but I find that those who ask for Zakah are as previously mentioned and some are aged people whose sons are rich and daughters are married. Is it permissible for me to give them some of this money? It is noteworthy that if I refrain from doing so, they rend to resent, tongue-lash, and revile me. Given that, praise be to Allah, there no longer exists miserable poor people at this time; what is the solution for that? Is it permissible for me to refrain from taking the Zakah of these generous people who do not live in this country, or should I give the mentioned people a small sum?

A: First: If you get to know or are almost sure that the income of any of them is not sufficient, you should give them what suffices their need. As for those who are maintained by others, such as a wife by her husband, children by their father, or parents by their son; if they are poor or needy, you should also give them according to their need. But, if they are in no need, you should not give them anything even if they become angry, and scold or revile you.

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Second: If you are unable to face those who ask for Zakah without right or are unable to distribute Zakah to its Shar`y recipients, you should not accept this responsibility. You should leave it to honest and strong people who can fulfill what Allah has prescribed concerning this matter.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13543

Q: We own farms on which Zakah is due. We would like to inquire whether Zakah should be distributed among the poor and the needy under the supervision of a committee, or what is the proper way of distributing it?

A: If the government assigns a committee to collect Zakah and distribute it among the poor under their supervision, it is permissible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Collecting Zakah

Fatwa no. 13157

Q: as an employee at the Department of Zakah and Income Tax, is it permissible for me to help some people to pay less Zakah than they should pay to the Zakah Department? It should be noted that I know that their Zakah is paid in full to the poor and needy through some of their friends.

A: An employee is trusted to do their work, and their job is a trust. It is obligatory to carry out this trust according to the Shari`ah (Islamic law). It is not permissible for them to betray that trust. Allah (Exalted be He) says: ﴿O you who believe! Betray not Allâh and His Messenger, nor betray knowingly your Amânât (things entrusted to you, and all the duties which Allâh has ordained for you).﴾ Thus, it is not permissible for an employee to let anyone pay Zakah more than is due or less than is due. Instead, it is obligatory on them to be fair by letting the people pay what is prescribed by the Shari`ah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Costs Paid for Transporting Zakah Money

Should the transport costs be taken from Zakah when transferring it to another country

The second question of Fatwa no. 6947

Q 2: If we are unable to find any of the categories of Zakah (obligatory charity) recipients in agricultural places and have to transfer the Zakah, should the transport costs be deducted from the Zakah or should they be paid by the farmer?

A: Zakah in full should be delivered to any of the eight categories without order or generalization, for it is obligatory to deliver it to them. Further, nothing should be taken from it like transport costs and so on. If a person delivers it to Bayt-ul-Mal (Muslim Treasury) as Zakah, the payer will be acquitted.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

buying Goods and distributing them among the Poor

Fatwa no. 13232

Q: Your Eminence, we would like to ask you about using some of the Zakah money to buy various foodstuff and commodity aid, such as blankets and clothing, and distributing them to poor Muslim areas, such as Sudan, Africa, and the Afghani Mujahidin (persons striving/fighting in the Cause of Allah). Particularly as food is not readily available at reasonable prices in these countries or it is not available at all, and, when it is available, it is offered at prices higher than that we could send them. We need your advice in this concern. May Allah reward you the best.

A: If the situation is as you mentioned, then there is no harm in that, as it is for the good of those who have a right to Zakah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

undeserving people taking Zakah

The Second Question of Fatwa no. 1766

Q2: The committee responsible for collecting the Zakah assigned me an amount of money as a subsidy without my knowledge. It should be borne in mind that I did not ask for this subsidy or try to get it - in fact, I never even thought of asking for such a subsidy. Yet, I knew that they had assigned me the subsidy while I own farmland that I do not plant. If I refuse to take the subsidy, it will be taken by others as it cannot be returned to its original source. Please answer me by letter.

A: You should not take this subsidy as you do not deserve it, considering that you do not have an estimated amount of crops. The Committee assigned the subsidy to you as a means of assistance; however, this is not their right so you should not share in doing something that Allah has forbidden.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13071

Q: We know a man who is very wealthy; he is a millionaire and holds a prominent

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position in society. He lives far away from my home, and I live in a village in the Western Province. Every year, during Ramadan, this man gives some of the Zakah on his wealth to the people of his tribe and he hands it over to a trustworthy person in the tribe to distribute it among the rightful recipients. The man entrusted with this job could not do it alone, so he asked me to help him to distribute the Zakah of this wealthy man. I agreed to do so and helped him to divide and distribute the Zakah money. However, sometimes, when I went to give the people their Zakah money, I found them either absent or dead, so I would take their share of the Zakah and add it to my share without them knowing and without the man I was helping or the wealthy man knowing. This story continued for three or four years, during which time I accumulated about 5,000 riyals. Please note that I do not know who the rightful recipients of this money are and I do not know their addresses. After this I sincerely repented to Allah and bitterly regretted what I had done, and from that time onwards I have led a righteous life - praise be to Allah. Now, I would like to give the people their financial rights, but I cannot tell the wealthy man or the man distributing the money about this, because I would be too embarrassed. It is also impossible for them to discover what I did.

Your Eminence, I would like to know what I should do in order firstly to be free from this responsibility towards Allah (Glorified and Exalted be He); secondly to have a clear conscience; and thirdly to be free of my responsibility towards the rightful recipients of the Zakah. Please remember that I do not know who the rightful recipients are, because some of them are dead now and I do not know the others at all. Should I give the money I had taken as Sadaqah (voluntary charity), with the intention that its reward should go to its rightful recipients? Once more,

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I hope you will give me a Fatwa on this issue.

A: If the situation is as you mentioned, and as the money that you have was Zakah money, you should distribute it to any of its rightful recipients, because you do not know the specific rightful recipients.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman

`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa No. 13088

Q: I am a painter but this is not a permanent job. I also lead people in Salah (Prayer) in a Masjid (mosque) which abides by the Sunnah and deliver the Friday Sermon too. some people gave me Zakah money to spend in legal ways. I took the money to distribute it but I took two thousand pounds for myself because I needed that sum to marry and to repair my house which was not suitable for marriage. I intended to repay this amount of money but my conditions now do not allow me to repay it, could you inform me of the solution? Is taking that money lawful or not and should I pay it back?

A: It is not permissible for you to take from the money which was handed over to you to distribute for those who deserve Zakah, you should repay the money you took by giving it to those who deserve it and you should repent and seek forgiveness for what you have done.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Paying Zakah to a hospital charity fund

Fatwa no. 2571

Q: Attached is a copy of the letter from King Faysal's Private Hospital including their request for support for the Charity Fund of the hospital. This fund is assigned for helping the poor and needy, who are unable to pay the costs of treatment and accommodation inside the city of Riyadh concerning patients and their attendants that come from all over the Kingdom. Is it permissible to pay Zakah (obligatory charity) to this fund? Please, advise! May Allah reward you the best and render all our deeds sincerely for His Sake only!

A: In our view, it is not permissible to pay Zakah to this fund; since the beneficiaries stated therein are not - by way of certainty and trust - among the categories of qualified Zakah recipients stipulated in Shari`ah (Islamic law).

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 11714

Q: We belong to a tribe that has agreed to establish a savings fund, for which each member should pay 5,000 Saudi riyals. We collected the money and I have been entrusted with the responsibility for the fund. We have agreed to use this money to buy, sell, and invest in projects. At the end of every year, we calculate the total amount of money we have and the value of the lands the society owns, based on the current market prices. We then distribute the annual Zakah due on the fund to those from the tribe who have a right to it, as follows:

1.

We give Zakah to orphans who are minors and whose father was a shareholder in the fund. Is it permissible to give some of the fund's Zakah to these needy and minor orphans?

2.

We give Zakah to some of the shareholders, who are still alive and are now poor and in need of Zakah. Is it permissible to give some of the fund's Zakah to shareholders in the society?

3.

If this is not permissible, what is the ruling on the Zakah money we gave them over the previous years, before the issuance of this Fatwa?

A: It is not permissible for the savings fund to give Zakah to the shareholders of the fund

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nor to their orphans, even if they are poor. This is because it is Zakah on their money, which they are not allowed to take. The same applies to the Zakah on their parents' money, which also should not be given to them.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Paying Zakah to UNICEF

The first question of Fatwa no. 7925

Q 1: I have some money for which a year is about to elapse. Please advise me about the way I should pay Zakah (obligatory charity) on this sum. Is it permissible to send some of this money to UNICEF (The United Nations Children's Fund) or to the Afghani Muhajidin (those fighting/striving in the cause of Allah)?

A: First: You should pay 2.5% of what you have of gold, silver, banknotes or commercial commodities, if each item reaches the Nisab (the minimum amount on which Zakah is due) independently or by adding it to other money or commercial commodities after a year has elapsed.

Second: It is not permissible to pay Zakah to UNICEF,

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since their activities and expenditures are not designated for Muslims. It is, however, permissible to pay it to the Afghani Mujahidin via a reliable person who can hand it to them.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 205

All praise be to Allah Alone, and peace and blessings be upon the final Prophet.

The Permanent Committee for Scholarly Research and Ifta' has read the written request for a Fatwa, submitted by his Royal Highness, Prince Salman ibn `Abdul-`Aziz, Chairman of Al-Birr Society in Riyadh no. 345 of 25/7/1392 AH, to his Eminence Chairman of the Departments of Scholarly Research, Ifta', Call, and Guidance, that is referred to by the General Secretariat of the Council of Senior Scholars by no. 2/1299 of 27/7/1392 AH. The request reads: I hope you will issue a Fatwa stating that it is permissible to give Zakah to Al-Birr Society in Riyadh, especially during the month of Ramadan.

After reading the above request, the Committee gave the following reply:

Zakah is an obligation that Allah has made incumbent upon the wealthy. Allah Himself (Glorified and Exalted be He) determined how much and to whom

the Zakah should be given, and did not leave this open to anyone's interpretation. The categories mentioned in the following Ayah (verse) are entitled to receive Zakah: ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything)﴿

Anyone who is obligated to pay Zakah will not be absolved until they pay Zakah, either in person or by proxy. If anyone refuses to do so, the ruler should take it from them by force, and this will absolve them of the obligation. Al-Birr Society, a charitable society located in Riyadh, is a legal personality represented by its chairman and members who have taken upon themselves the responsibility of doing good. If this Society - among its activities - distributes Zakah to those who deserve it such as the poor and needy, it becomes permissible for anyone who would like to pay their Zakah to deputize this Society and give them his Zakah to distribute. In turn the Society should distribute the collected Zakah funds in the legal channels; and this should be done as soon as possible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 265

Praise be to Allah, Alone. May peace and blessings be upon the Last Prophet. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has looked into the question posed by His Royal Highness Prince of the Riyadh Region and Chairman of Al-Birr Society in Riyadh to His Eminence the Chairman of the Departments of Scholarly Research, Ifta', Da`wah, and Guidance numbered 1/2065; dated 15/9/1392 A.H. that was submitted by the Secretariat General of the Council of Senior Scholars numbered 2/1613 on 15/9/1392 A.H. which reads: "We were informed of what was included in the Fatwa (legal opinion issued by a qualified scholar) issued by the Permanent Committee of Scholarly Research and Ifta' numbered 205, dated 15/8/1392 A.H. on the permissibility of paying Zakah (obligatory charity) to Al-Birr Society in Riyadh to undertake its payment to the qualified recipients. Also, we received inquiries from some citizens about giving Zakah to the Society while they pay it to the appropriate government authorities. We would like you to clarify this issue."

After studying this question and referring to the Fatwa, the committee replied as follows: Zakah is of two types:

The apparent, which is grain, fruit, livestock; and the stored such as gold, silver, and commercial commodities. The question is regarding Zakah on stored wealth which

a ruler leaves to them to distribute among the qualified recipients on their own, or through their deputy, or any trustee. This is indicated by two things:

First: What was mentioned in the main question regarding the reason for posing this question at the time of the advent of Ramadan where most people pay this type other than that on grain, fruit or livestock.

Second: The questioner takes part in bearing the responsibility and by virtue of his post is aware of the systems run in the Kingdom with respect to the collection of Zakah and other procedures, which he is also involved in carrying out. Thus, his question is not concerned with Zakah whose collection is undertaken by the government, which has drawn the proper plan to levy Zakah from those on whom it is due.

This is the type regarding which the committee responded by permitting the payer to give it to a trustworthy, authorized person to distribute amongst the Shar`i categories of recipients. As for the Zakah on apparent wealth and money for which the ruler has set up a system of collection through his workers, it is not what is meant in the question or Fatwa. The adopted Sunnah since the time of the Messenger (please be upon him) up to now is that the ruler assigns agents to collect it and distribute it among the Shar`i (Islamically lawful) qualified recipients. Accordingly, rights of the rulers are guarded and

none can interfere in except with his permission and this is an established known fact. Whoever analyzes the question and considers the situation of the questioner, the operating system in this Muslim country and the conditions of people will know the intention of the question and the questioner that it is designated for Zakah money which the ruler leaves to its payers to distribute among recipients. Regarding the phrase (it is permissible to pay Zakah money to Al-Birr Society), it is cut from the aforementioned conditions, since it is the laymen's understanding about the permissibility of paying Zakah to Al-Birr Society and the expansion in propagandizing and applying this, which should not be undertaken. This is because the question, answer, and the conditions of the questioner should be considered. In conclusion, issuing a Fatwa permitting the payment of Zakah to this Society includes the following points: 1- Zakah should not be paid on apparent wealth. 2- It should not be among the sum which the ruler has asked but from that which he leaves for agents to distribute among the recipients or through deputies to the recipients. 3- It should be paid by those in charge of the Society to the Shar`i qualified recipients as soon as possible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companion!

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

The Second Question of Fatwa no. 1083

Q2: Is it permissible to give part of the Zakah to charitable societies such as Al-Birr Society and the Society for Releasing Debtors from Prison?

A: As regards charitable societies, if it is known that they distribute the Zakah money they receive to the categories prescribed by the Shari`ah (Islamic law) or to some of the categories, such as the poor and needy, and the people are known for their honesty, trustworthiness, their religion, and good conduct, and you trust them and have confidence in their dealings, then there is no problem in giving them Zakah and for them to manage the distribution to the categories prescribed by the Shari`ah.

As regards the societies that support the release of debtors who have violated others' rights, Allah explains in the following Ayah (Qur'anic verse): ﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything)﴾ He mentions debtors as one of the categories of people who can receive Zakah. And there are two types of debts: The first type is a debt incurred to resolve problems

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between people that have been caused by financial issues, for example. If people take it upon themselves to pay this money, with the intention of getting it back from the Muslim's Zakah, this category of debtors should have their debts repaid from Zakah, even if they are rich. The second type of debt is a debt incurred when someone borrows money to spend in a lawful and permitted way, such as on something for themselves or their dependants, or on a financial obligation for reasons other than to wrong others. All the above-mentioned types of debtors can be given help from Zakah to repay their debts.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	Ibrahim ibn Muhammad Al Al-Shaykh

Fatwa no. 2619

Q: This organization customarily distributes its Zakah (obligatory charity) to charity funds and centers for the memorization of Qur'an in cities within the Kingdom. Sometimes, it might also send part of this sum to the Islamic institute in London. We hope that your Eminence will inform us whether or not it is permissible to distribute Zakah outside the city where we live. Also, is it permissible to pay Zakah to charity funds and centers for the memorization of Qur'an?

A: The basic principle for Zakah money is that it should be paid to the poor of the country where the money

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exists. The Prophet (peace be upon him) told Mu`adh when he sent him to Yemen : (Tell them that Allah has enjoined upon them to offer charity (i.e. Zakah), to be taken from their rich and given to their poor) However, if a person sees benefit in transferring it from the country where the money is to another; for instance if the citizens of the country to which it is transferred are more deserving, or have ties of kinship with the Zakah payer, or if other benefits can be achieved through this transfer, it is permissible to do so.

As for charity funds, it is permissible to pay Zakah there only if people in charge distribute it to the qualified recipients among the poor, needy and the like.

But, if they increase their expenditures in paying what is received by Zakah recipients, or charity projects and the like; it is impermissible to pay it to them; since in this case, it is not certain that the money will reach the qualified recipients.

As for Qur'an memorization centers, if the Zakah payer is sure that those in charge of the center will give it to the poor students and others, this is permissible even if it is transferred from one country to another. In this instance, the benefit of transferring the money will be achieved. However, if the payer gives it for the budget of the school to be spent on the memorization of Qur'an and other branches of Islamic sciences, this is not permissible.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 4515

Q: A family intends to start a charitable fund to help poor people, both from within and outside the family. One of the members of the family trades in tobacco. Is it permissible to establish this fund, despite the fact that it includes this unlawful money or should the family exclude money like that? Is it permissible to collect Zakah money for this proposed fund and distribute it to its rightful recipients?

A: Firstly: establishing a charitable fund to help the poor is regarded as a good deed, as it involves doing good for the poor, comforting them, and meeting their needs, all of which is in conformity with the following Ayah (Qur'anic verse): ﴿Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety)﴾ There are also many religious texts from the Qur'an and Sunnah (whatever is reported from the Prophet) that encourage maintaining the ties of kinship and supporting the poor and needy. **Secondly:** If the man who trades in tobacco has another source of income or earnings other than from this tobacco business, then it is permissible for you to accept the money he donates

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to the fund. But if he has no source of income other than from the tobacco business, you should not accept his donation, because his gains are detestable, and Allah only accepts agreeable gains. In either situation, it is your duty to advise him to leave the tobacco and other forbidden businesses. You should tell him there are many ways of earning a lawful living, and anyone who leaves unlawful gains through fear of Allah, He will be compensated with better, as whoever fears Allah - He will make for him a way out. And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allah, then He will suffice him. **Thirdly:** If the money collected in this fund is distributed to the poor and needy people and the other categories of people entitled to receive Zakah, it is permissible for you to give your Zakah money to this fund, as long as it is only given to some or all of the eight legal categories; otherwise, it is not be permissible to give any of your Zakah money to this fund.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5162

Q: Al-Birr Charitable Society in `Unayzah receives Zakah (obligatory charity) money

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and distributes it to Shar`i (Islamically lawful) recipients. It allocates part of this money to refurbish and construct houses for the poor. However, we have discovered that the benefit gained from this operation is temporary and limited, as some beneficiaries sell their houses to construct or rent better homes or even villas. They may also abandon them at a time when others could be in need of these houses. These houses might also exist in old districts, which make them subject to dispossession at anytime. The question we pose to your Eminence is: Is it permissible for the Society to refurbish its houses that are made for the poor to dwell therein from Zakah money in return for nominal fees that go into the rehabilitation of these houses afterwards, or even construct them at no charge on condition of transferring the ownership from those who are no longer in need to other needy persons? As we see these days, people's circumstances are changing quickly from poverty to wealth, praise be to Allah for this. Also, people in our time tend to prefer concrete houses.

A: The basic principle of Zakah is that it should be distributed to the legal recipients that Allah specifies in the Ayah: ﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allâh. And Allâh is All-Knower, All-Wise.﴾ Thereafter, those who receive it are to spend it in that which they see is beneficial to them; whether it is food, clothing, housing, or repayment of debt and so on. This is in accordance with the clear meaning of the Ayah, and they are most knowledgeable of their own needs. But, if a person does not know how to spend it or

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if it is being spent in Jihad (striving/ fighting in the cause of Allah), their guardian or the one responsible for this should spend it where there is benefit. Thus, it is not permissible for Al-Birr Society to construct houses or the like using the money collected for Zakah to benefit the needy neither by renting them the houses nor giving them ownership; since this involves giving Zakah to those who are not eligible to receive it. Also, it leads to the loss of its origin without giving it to the qualified recipients, specifying the type of benefit, delaying its receipt to the eligible in addition to controlling their benefits. This has occurred before and has proven its failure, as it opposes the Nas (Islamic text from the Qur'an or the Sunnah) without a Shar`i excuse.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5586

Q: Kindly, Your Honor, be advised that Al-Birr Association in Madinah offers great services to the poor, the needy, orphans, and widows. Assistance is granted through monthly salaries, living allowances, paid medical treatment at home and abroad, home repairs, and remuneration for disasters such as the collapse of buildings or the case of fires.

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The Association receives financial contributions from citizens and benefactors, especially in Ramadan, as we receive donations which may reach millions of Riyals from collected Zakah. Currently, we have five million Saudi Riyals in the bank of Madinah. Can we use this money to purchase land for commercial investment, building homes on it and renting them for the Association? Is it Islamically permissible to conduct commercial transactions and investments with the money of the Association with the intention of increasing the financial resources of the Association and creating a steady income for it, although this money was given to us from the money of Zakah to be spent in the form of charity? Please advise so that we may be enlightened and achieve the noble goals of the Association. Many thanks to you, and may Allah protect you.

A: First, the money from Zakah is to be distributed in the manner described in Allah's statement, ﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴾ It cannot be delayed or any portion of it spent on charitable projects.

Second, the money which is not from Zakah can be spent in

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charitable projects, such as building Masjids (mosques), orphanages, hospitals and so on.

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Permanent Committee for Scholarly Research and Ifta'

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The First Question of Fatwa no. 2288

Q1: what is your ruling on the charity boxes that are placed in Masjids (mosques) to collect money to be spent on poor students, and so on? Can we put Zakah money in these boxes?

A: Allah (may He be Praised and Exalted) shows the categories of people who have the right to receive Zakah in this Ayah (Qur'anic verse): ﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor) and those employed to collect (the funds), and to attract the hearts of those who have been inclined (towards Islâm), and to free the captives, and for those in debt, and for Allâh's Cause (i.e. for Mujahidûn - those fighting in a holy battle), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allâh. And Allâh is All-Knower, All-Wise.﴾ The charity boxes placed in Masjids are usually used for the benefit of the Masjid, but those who serve these Masjids or seek knowledge there are not included in the eight categories. So it is not permitted to put any Zakah in these boxes. However, it is permissible to help the people who benefit from these boxes with money other than the obligatory Zakah, as Allah (may He be Praised and Exalted) says: ﴿Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety)﴾ and He also says: ﴿and do good that you may be successful.﴾

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Investing Zakah money given to an organization

Fatwa no. 9056

Q 1: Is it permissible for the International Islamic Charitable Organization to invest Zakah (obligatory charity) money that it deposits in banks for liquid investments in a way that does not influence the order or the order and execution of its distribution to the Shar`i (Islamically lawful) stipulated categories of Zakah recipients? For instance, investing it in measured and accredited fields of investment that are free from usurious interests to avoid prohibited or doubtful matters. It is also worth mentioning that the organization is not one or a group of individuals representing themselves but it is an independent legal entity wherein people strive and exercise Ijtihad (juristic effort to infer expert legal rulings) in that which benefits Islam and Muslims.

A: It is not permissible for the trustee of the organization to invest Zakah money; it must be spent on the stipulated Shar`i categories after ascertaining

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that they are eligible. This is because it aims at meeting the needs of the poor and removing the debts of indebted persons. Also, investment could also lead to missing or delaying delivery of these benefits to the qualified recipients.

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The first question of Fatwa no. 6986

Q 1: We have a charitable society in the city of Al-Ghat that engages in charitable projects and is sponsored by a number of donors. One of the tasks undertaken is the distribution of Zakah (obligatory charity) to the eligible recipients through the organization's committee. If - for example - a sum of one hundred thousand Riyals has been received; to whom should it be distributed? Should the Zakah be given to the guardian of household, women, children, or to poor young men? What are the characteristics of the qualified recipients these days, as many elderly and infirm persons have tens of thousands or more in savings for instance. Can they be counted as qualified recipients? If the answer is no; who is entitled to receive Zakah in this case? Please provide us with the correct answer, as we are troubled by these issues. May Allah reward you the best!

A: This Zakah must be given to those who are entitled to receive it amongst those whom Allah mentions in His Statement (Exalted be He):

﴿As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴾

Accordingly, if those whom you have mentioned are included in the stipulated categories, they should be given from Zakah. But if not; it is not permissible to give them from it. It is also permissible to give those who have savings, if the sum they have cannot fulfill their needs for an entire year. As for the recipients who are underage, Zakah should be given to their guardians whether their parents or others.

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which is better, giving Zakah in person or giving it to a society that distributes Zakah to the categories of people entitled to it?

The First Question of Fatwa no. 5580

Q1: In some Muslim countries, there are committees and organizations that collect and distribute Zakah. They study people's situations to see whether they need money. Which is better and closer to the Sunnah (whatever is reported from the Prophet) for those paying Zakah, to give it directly to the poor or to give it to those charitable institutions and funds?

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Which of the two ways is better to maintain dignity and is more face-saving, and is the more organized way for distribution? Some poor people who are known for their poverty receive a lot of Zakah money compared to others who are not known and restrain themselves from begging.

A: If you distribute your Zakah money by yourself and make sure that you give it directly to the rightful recipients based on their needs, this is the safest way. However, it is also permissible for you to give your Zakah money to a trustworthy person to distribute it to the legitimate categories of people.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

charitable societies and the payment and receipt of Zakah

Fatwa no. 8191

Q: There is an increase in the number of accidents that take place daily and monthly, causing death, serious wounds to the head, or other bodily harm. Because of this and due to the fact that Shari`ah (Islamic law) obliges the family of the person responsible for the accident to pay

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the Diyah (blood money) for wrongful death, quasi-deliberate homicide, and head wounds, members of the clan of Al-Mutayahah, which belongs to the tribes of Al-`Adyan and `Utaybah, have agreed to establish a charitable fund. Each member of the clan is to pay a specified sum of money every year to be used to pay Diyah on behalf of any of the members of the family, in order to achieve family integration and mutual support. This fund has been established to help any family members who are required to pay Diyah so that they will not have to travel far distances to collect money from other members of the family; something which may also take several months. My questions are:

1.

Is the fund established by our family a lawful and charitable society?

2.

Must we pay Zakah on the money we collect when a full lunar year passes?

3.

Can those who are obliged to pay Zakah pay it to this society?

4.

What should be done if any of the members of the family refuse to participate in the fund or to pay the money that is due to this fund? It should be mentioned that the first condition of the establishment of the fund is that if any member of the family refuses to join it, the family will not support him in case he faces a problem. This situation occurred and one of the members of the family had to pay Diyah and he asked the family to help him, but the family refused as he had not paid his dues to the society.

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Since this man went against the family agreement, should the other members support him, given that he refused to join the society even though he had been informed of its conditions?

Can this man ask for help from another family to pay the Diyah due on him? This man's family is rich and they have not dismissed him, rather it is he who refused to join them as he did not want to pay the money due to the society. Please answer my questions regarding this matter.

A: Firstly, the family members' agreement to establish this fund is a charitable act that enhances the support between family members. **Secondly,** if a full lunar year passes while the money that has been collected for this purpose is still in the possession of the society, no Zakah is due as the money will not be returned to its owners, in case the society fails for example; rather this money will be spent for this particular purpose or in other charitable fields. **Thirdly,** it is not permissible for people to pay their Zakah to this society, but they should pay it to those categories of people mentioned in the following Ayah (Qur'anic verse): ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴿ **Fourthly,** if anyone who abstains from joining this society asks it to pay the Diyah

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for wrongful murder on his behalf, this should be decided by the court.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Deputy Chairman	Chairman
`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 12934

Q: we have a charitable institution offering housing for widows, orphans, and the disabled. The institution receives huge amounts of Zakah from Muslims in our country. After paying all the necessary expenses of the institution, there is a surplus from the Zakah.

First:

Is it permissible according to the Shari`ah (Islamic law) to keep the remaining money for other years?

Second:

Do we have to pay Zakah on this money?

Third:

Is it permissible to spend this money on poor Muslims outside the institution?

Fourth:

If we invest this money in building houses for rent, is it permissible for us to spend the revenue on Masajid (mosques) and their Imams (persons who lead congregational Prayer)?

Fifth:

Thanks to the assistance of the Islamic Development Bank (IDB), the institution built a building and, for certain conditions, it is renting out part of this building. Is it permissible for us to spend the rental on Imams of the Masajid? We need your advice in a written letter. May Allah grant you the best reward for serving Islam and Muslims!

A: It is not permissible for you to take Zakah in excess of the needs of

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the poor in the institution. From that answer you can realize the answer to the other questions.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The permissibility of paying Zakah to those in Palestine

The fourth question of Fatwa no. 8128

Q 4: About 5% of my monthly salary is being deducted to benefit the Palestinian Liberation Organization. Some scholars have issued a Fatwa (legal opinion issued by a qualified Muslim scholar) in Kuwait several years ago indicating the permissibility of giving Zakah (obligatory charity) to this Organization. Can I consider the deducted 5% as part of the due Zakah on my money by calculating the sum of what I pay to the organization during the year then paying the rest due sum of Zakah? It is worth mentioning that the 5% that is deducted from the basic salary is taken from every native Palestinian by virtue of the decree of the Arab Summit in support of the Palestinian revolution as per their expression.

A: It is not permissible to count what is deducted from you for the Palestinian Liberation Organization as Zakah. This does not suffice you, since Zakah is not a means of preserving money.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Giving zakah to those Who do not know it is zakah

The second question of Fatwa no. 11241

Q 2: I sent some money to my uncle in Sudan, but I did not tell him it was Zakah, because if I did, he would not take it. I wanted this to be between me and Allah. Is my Zakah acceptable?

A: If you give your Zakah to the people whom you know have a right to it, with the intention that it is your Zakah, then your Zakah will be correct. We hope Allah (Exalted be He) will accept it from you. You do not have to tell the recipient that it is Zakah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The sixth question of Fatwa no. 12370

Q 6: In the past, i gave some land as part of my Zakah payment to someone

who had told me that he was in a bad situation. Years later, I discovered - through information I received about him - that he had not been a rightful Zakah recipient. Do I have to pay the same amount as Zakah again?

A: If the situation is as you mentioned, then it will have counted for you as Zakah money, because when you gave it to him you thought that he had a right to Zakah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

giving Zakah to the Disabled

Fatwa no. 11360

Q: We would like to inform Your Eminence that the Home for Children with Disabilities in Riyadh is the first project established by the Charitable Society for Children with Disabilities in Riyadh. We are a non-governmental charitable society, funded by donations and grants from citizens, companies, and institutions. The society offers treatment, care, and rehabilitation to children with disabilities from birth to 12 years old, and provides them with food, drink, shelter, and clothing during their stay in the society's home. All these services

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are provided free of charge. It should be noted that most of these children belong to families of low and limited income that have a right to receive Sadaqah (voluntary charity).

We would like to have an answer for the following question: Is it permissible for the society to use the Zakah money for the treatment, care, and rehabilitation of these children with disabilities who belong to poor families and need care? We hope to receive some advice from you, and may Allah reward you the best!

A: There is no prohibition against using the Zakah money and spending it on children with disabilities from poor families.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Building houses for the poor by Zakah Money

The seventh question of Fatwa no. 4836

Q 7: Is it permissible for a contracting company to build houses for poor Muslims from Zakah (obligatory charity) money which they pay? It is worth mentioning that Egypt suffers from a severe housing problem and Muslims do not have apartments.

Q: It is not permissible to pay Zakah money in building houses for the poor.

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Rather, the money should be handed to the qualified recipients where they can independently dispose of it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Praise be to Allah, the ninth volume of the Fatawa of the Permanent Committee of Scholarly Research and Ifta' has been completed

Following is the tenth volume - by Allah's Permission-

Starting with: (The qualified recipients of Zakah)